STATE OF NEW YORK

4544

2023-2024 Regular Sessions

IN ASSEMBLY

February 16, 2023

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Housing

AN ACT to amend the private housing finance law, in relation to affordable home ownership development contracts within the city of Yonkers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 1112 of the private housing finance law, as amended by chapter 777 of the laws of 2021, is amended to read as follows:

1. Within the limit of funds available in the affordable housing development account, the corporation is hereby authorized to enter into contracts with eligible applicants to provide grants which such applicants shall use to finance affordable home ownership development programs subject to the terms and conditions of this article. Any grants received by a municipality hereunder shall not be deemed to be municipal funds. Grantees shall utilize funds provided pursuant to this article solely as payments, grants and loans to owners to reduce the costs of new construction, rehabilitation or home improvement or the cost of acquisition, but only where such acquisition is part of an affordable home ownership development program or project to construct or rehabilitate homes, or as otherwise authorized by law. Such financial assistance may be in the form of loans, participation in loans including but not limited to participation in loans originated or financed by lending institutions as defined in section forty-two of this chapter, private or public employee pension funds or the state of New York mortgage agency, or grants, on such terms and conditions as the grantee with the approval of the corporation shall determine, provided that no such payments, grants and loans shall exceed the lesser of (i) sixty percent of the project cost for projects involving acquisition or one hundred percent of rehabilitation programs without an acquisition component or (ii) the following per dwelling unit limitations (A) fifty thousand dollars for

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD09502-01-3

projects except as provided in subparagraph (B) of this paragraph or (B) up to seventy-five thousand dollars for a high cost project or a project which will receive a loan from the federal farmers home administration **or (C) twenty-five thousand dollars for new construction within the city of Yonkers of affordable housing and acquisition within the city of Yonkers of existing housing stock cooperatives, condominiums and fee simple multi-family housing where appropriate**. Up to ten percent of the program or project cost may be used for grantee operating expenses including expenses related to the organization operating support and administration of the contract. Among the criteria the corporation shall consider in determining whether a project is a high cost project are: average cost of construction in the area, location of the project, and the impact of the additional funding on the affordability of the project for the occupants of such project. No more than fifty percent of the total amount appropriated pursuant to this article in any fiscal year shall be allocated to homes located within any single municipality.

§ 2. This act shall take effect immediately.