STATE OF NEW YORK

9628

IN ASSEMBLY

March 26, 2024

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

AN ACT to amend the private housing finance law, in relation to requiring certain out-of-state affordable housing owners to maintain an escrow account for the purpose of financing utility costs and tax obligations for affordable housing rental units located in New York state

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

Section 1. The private housing finance law is amended by adding a new section 615 to read as follows:

§ 615. Out-of-state affordable housing owner escrow account. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "HUD" shall mean the federal department of housing and urban development.

(b) "Out-of-state affordable housing owner" shall mean an affordable housing development company that:

(i) is located outside of New York state;

(ii) owns twenty or more affordable housing rental units located in New York state; and

(iii) receives federal funding pursuant to a HUD-administered program or initiative.

2. (a) Every out-of-state affordable housing owner shall maintain an escrow account for the purpose of financing utility costs and tax obligations for affordable housing rental units located in New York state.

(b) Such escrow account shall contain fifty percent of:

(i) such owner's property tax obligations for affordable housing rental units located in New York state for the prior tax year; and

(ii) utility costs for affordable housing rental units located in New York state for the previous twelve months.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

LBD14921-02-4