

STATE OF NEW YORK

9628--A

IN ASSEMBLY

March 26, 2024

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 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:

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

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

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

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

10 (i) is located outside of New York state;

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

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

15 2. (a) Every out-of-state affordable housing owner shall maintain an
16 escrow account, held by a bank or licensed lender, as such terms are
17 defined by section two of the banking law, for the purpose of financing
18 utility costs, tax obligations, fire services, and regular maintenance
19 costs for affordable housing rental units located in New York state.

20 (b) Such escrow account shall contain:

21 (i) fifty percent of such owner's property tax obligations for afford-
22 able housing rental units located in New York state for the prior tax
23 year;

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

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1 (ii) fifty percent of utility costs and regular maintenance costs for
2 affordable housing rental units located in New York state for the previ-
3 ous twelve months; and
4 (iii) an amount sufficient to cover any potential fire services, as
5 determined by the commissioner.

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