

STATE OF NEW YORK

5072

2023-2024 Regular Sessions

IN SENATE

February 22, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the private housing finance law, in relation to disabled veteran access to home for heroes contracts

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 article 32 to read as follows:

ARTICLE XXXII

NEW YORK ACCESS TO HOME FOR HEROES PROGRAM

5 Section 1290. Statement of legislative findings and purpose.

6 1291. Definitions.

7 1292. Access to home for heroes contracts.

8 § 1290. Statement of legislative findings and purpose. The legislature
9 hereby finds and declares that many disabled veterans in New York state
10 face a significant impediment to accessible and affordable housing as a
11 result of service related injuries, age or health related disabilities.
12 These men and women have served our country and state with honor and
13 distinction and deserve to achieve maximum independence, social inter-
14 action and community integration. Providing financial assistance with
15 the cost of adapting the dwelling units of our disabled veterans, is
16 fundamental to providing for the promise of living safely, comfortably
17 and productively in the most integrated setting of their choice.

18 § 1291. Definitions. As used in this article:

19 1. "Corporation" shall mean the housing trust fund corporation estab-
20 lished in section forty-five-a of this chapter.

21 2. "Eligible applicant" shall mean a city, town, village or not-for-
22 profit corporation in existence for a period of one or more years prior
23 to application, which is, or will be at the time of award, incorporated

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

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1 under the not-for-profit corporation law and has substantial experience
2 in adapting or retrofitting homes for persons with disabilities.

3 3. "Veteran" shall mean a resident of this state who (a) has served on
4 active duty in the United States army, navy, marine corps, air force or
5 coast guard or (b) has served on active duty or ordered to active duty
6 as defined in 10 USC 101 (d)(1) as a member of the national guard or
7 other reserve component of the armed forces of the United States or (c)
8 has served on active duty or ordered to active duty for the state, as a
9 member of the state organized militia as defined in subdivision nine of
10 section one of the military law and has been released from such service
11 documented by an honorable or general discharge.

12 4. "Disabled veteran" shall mean a veteran who is certified by the
13 United States Department of Veterans Affairs documented by a Letter of
14 Certification or the United States Department of Defense certificate of
15 release or discharge from active duty, including but not limited to a
16 DD-214 form or an honorable certificate/report of casualty.

17 5. "Access to home for heroes programs" or "programs" shall mean a
18 series of activities by an eligible applicant to administer funds to
19 provide grants to homeowners and renters and to oversee the adaptation
20 or retrofitting of eligible properties.

21 6. "Eligible property" shall mean a housing unit that is the primary
22 residence of a disabled veteran and a total household income that does
23 not exceed one hundred and twenty percent of area median income. A prop-
24 erty shall not be considered an eligible property if the owner of the
25 property is otherwise obligated by federal, state or local law to
26 provide the improvements funded under this article.

27 § 1292. Access to home for heroes contracts. 1. Within the limit of
28 funds available in the access to home for heroes program, the corpo-
29 ration is hereby authorized to enter into contracts with eligible appli-
30 cants to provide financial assistance for the actual costs of an access
31 to home for heroes program. The financial assistance shall be in the
32 form of grants. No more than fifty percent of the total amount awarded
33 pursuant to this article in any fiscal year shall be allocated to access
34 to home programs located within any single municipality.

35 2. The total payment pursuant to any one contract shall not exceed
36 five hundred thousand dollars and the contract shall provide for
37 completion of the program within a reasonable period, as specified ther-
38 ein, which shall not in any event exceed three years from its commence-
39 ment. Upon request, the corporation may extend the term of the contract
40 for up to two additional one year periods for good cause shown by the
41 eligible applicant.

42 3. The corporation may authorize the eligible applicant to spend up to
43 seven and one-half percent of the contract amount for approved adminis-
44 trative costs associated with administering the program.

45 4. The corporation shall require that, in order to receive funds
46 pursuant to this article, the eligible applicant shall submit a plan
47 which shall include, but not be limited to, program feasibility, impact
48 on the community, budget for expenditure of program funds, a schedule
49 for completion of the program, affirmative action and minority business
50 participation.

51 § 2. This act shall take effect immediately.