§ 75.17 Mortgage loans.

(a) Any company formed under this article may, subject to the approval of the commissioner, borrow funds from the New York state housing finance agency and secure the repayment thereof by bond or note and mortgage which shall contain such terms and conditions as may be deemed necessary or desirable by the New York state housing finance agency or required by any agreement between the New York state housing finance agency and the holders of its notes and bonds with respect to such companies, including the right to assignment of rates and fees and entry into possession in case of default, but the operation of such project, in the event of such entry, shall be subject to regulations promulgated by the commissioner.

(b) The New York state housing finance agency may make a contract to make loans to companies not to exceed the total project cost. Any such loan shall be secured by a first mortgage lien upon all the real property and improvements of which the project consists and upon all fixtures and articles of personal property attached to or used in connection with the construction, acquisition, reconstruction, rehabilitation, improvement, or operation of the project.

(c) Any inconsistent provision of law to the contrary notwithstanding, mortgages of a company shall be exempt from the mortgage recording taxes imposed by article eleven of the tax law.