*** § 609. Payment of housing vouchers.** 1. The housing voucher shall be paid directly to any owner under a contract between the owner of the dwelling unit to be occupied by the voucher recipient and the appropriate housing access voucher local administrator. The commissioner shall determine the form of the housing assistance payment contract and the method of payment. A housing assistance payment contract entered into pursuant to this section shall establish the payment standard (including utilities and all maintenance and management charges) which the owner is entitled to receive for each dwelling unit with respect to which such assistance payments are to be made. The payment standard shall not exceed one hundred twenty percent nor be less than ninety percent of the fair market rent for the rental area in which it is located. Fair market rent shall be determined pursuant to the procedures and standards as set forth in the Federal Housing Choice voucher program, as set forth in the applicable sections of Part 888 of Title 24 of the Code of Federal Regulations. Fair market rent for a rental area shall be published not less than annually by the commissioner and shall be made available on the website of New York state homes and community renewal.

2. A housing assistance payment contract entered into pursuant to subdivision one of this section may provide for an initial payment of up to five months of rent arrears that have accrued during prior occupancy of a dwelling unit by a voucher recipient if such payment of arrears is necessary to continue such voucher recipient's occupancy of such dwelling unit, and thereby prevent imminent loss of housing.

* NB Expires May 1, 2030