

CHAPTER 808

AN ACT in relation to slum clearance and low rent housing,
constituting chapter forty-four-a of the consolidated laws
Became a law June 8, 1939, with the approval of the Governor. Passed,
three-fifths being present

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

THE PUBLIC HOUSING LAW

CHAPTER FORTY-FOUR-A OF THE CONSOLIDATED LAWS

- Article 1. Short title; policy of state and purpose of chapter;
 definitions. (§§ 1-3.)
2. Division of housing. (§§ 10-20.)
- 2-A. New York state low income housing tax credit program.
 (§§ 21-25.)
3. Municipal housing authorities. (§§ 30-61.)
4. State aid. (§§ 70--76-a.)
5. Municipal aid. (§§ 92-102.)
6. Special taxes in cities and certain villages.
 (§§ 110-113.)
7. Acquisition of property. (§§ 119-128.)
8. Provisions relating to approval, construction,
 management and operation of projects. (§§ 150-159.)
10. Loans to owners of existing multiple dwellings.
 (§§ 210-215.)
- 10-B. War demobilization emergency housing. (§§ 219-a--219-i.)
11. Miscellaneous. (§§ 220-228.)
12. Public housing drug elimination pilot program.
 (§§ 301-306.)
13. Municipal housing authorities, created. (§§ 400-575.)
14. Obligation to affirmatively further fair housing.
 (§ 600.)
- 14-A. Housing access voucher pilot program.
 (§§ 605-623).
15. New York City public housing preservation trust.
 (§§ 625-649).

ARTICLE I

SHORT TITLE; POLICY OF STATE AND PURPOSE OF CHAPTER; DEFINITIONS

Section 1. Short title.

2. Policy of state and purpose of chapter.

3. Definitions.

Section 1. Short title. This chapter shall be known and may be cited and referred to as the "public housing law."

§ 2. Policy of state and purpose of chapter. It is hereby declared that in certain areas of cities, towns and villages of the state there exist insanitary and substandard housing conditions owing to overcrowding and concentration of the population, improper planning, excessive land coverage, lack of proper light, air and space, insanitary design and arrangement, or lack of proper sanitary facilities; that these conditions are chiefly in areas where low rent dwellings prevail and that such conditions and dwellings are a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of this state; that there is not an adequate supply of adequate, safe, and sanitary dwelling accommodations for persons of low income; that these conditions cause an increase and spread of disease and crime and constitute a menace to the health, safety, morals, welfare, and comfort of the citizens of the state; that these conditions inflict blight upon the economic value of large areas, impair private investments and the source of public revenues; that these conditions cannot be remedied by the ordinary operation of private enterprise; that these conditions require that provision be made for the investment of public and private funds at low interest rates in low rent housing and the acquisition at fair prices of adequate parcels of property, the gradual demolition of existing insanitary and unsafe housing and the construction of new housing facilities, under public supervision in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which persons of low income can afford to pay; that loans and subsidies by the state and its subdivisions are necessary for such purposes; that the clearance, replanning, reconstruction and

rehabilitation of substandard and insanitary areas or the providing of adequate, safe and sanitary low rent housing accommodations in these areas and elsewhere for persons and families of low income, or both of these, are public uses and purposes for which public money may be spent and private property acquired; that these conditions require the creation of the agencies and instrumentalities hereinafter prescribed, which are declared to be agencies and instrumentalities of the state for the purpose of attaining the ends herein recited; and the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

§ 3. Definitions. The following terms, whenever used or referred to in this chapter, shall have the following meaning, unless a different meaning clearly appears from the context:

1. The term "commissioner" means the state commissioner of housing and community renewal. Reference in this chapter or in any other general, special or local law to state commissioner of housing shall be deemed to mean and refer to the state commissioner of housing and community renewal which is hereby made the new title of such office.

2. The term "authority" means a public corporation which is a corporate governmental agency (except a county or municipal corporation) organized pursuant to law to accomplish any or all of the purposes specified in article eighteen of the constitution and includes the following municipal housing authorities established prior to the first day of January, nineteen hundred thirty-nine pursuant to chapter four of the laws of nineteen hundred thirty-four and amendments thereof, namely, Buffalo municipal housing authority, Lackawanna municipal housing authority, New York city housing authority, Peekskill housing authority, Port Jervis housing authority, Schenectady municipal housing authority, Syracuse municipal housing authority, Tarrytown municipal housing authority, Tuckahoe housing authority, municipal housing authority of the city of Utica, New York, and Yonkers housing authority.

3. The term "housing company" means a limited profit or limited

dividend housing corporation organized pursuant to articles two or four of the private housing finance law.

4. The term "multiple dwelling" means an existing building accommodating three or more families living independently of each other.

5. The terms "municipal corporation" and "municipality" mean a city, town or village; and the term "municipal" shall be deemed to relate to a city, town or village.

6. The term "mayor" means the chief executive officer of a municipality.

7. The term "local legislative body" means: (a) in a city, the board of aldermen, common council, council, commission or other board or body now or hereafter vested by its charter or other law with jurisdiction to enact ordinances or local laws, except that in a city having a population of one million or more the term shall, as to such city, mean the officer or agency vested with power under the charter of such city, or by other law, to act pursuant to this chapter; (b) in a town, the town board; (c) in a village, the board of trustees.

7-a. The term "governing body of a district" means: (a) in a school district, the board of education or board of trustees; in the case of common school districts having one trustee, such trustee; (b) in a fire alarm district or a fire protection district, the town board; (c) in a fire district, the board of fire district commissioners; (d) in an improvement district, the town board, except that if there be a separate board of commissioners, the term shall mean the town board acting with the approval of the board of commissioners.

8. The term "state comptroller" means the comptroller of the state of New York.

9. The term "municipal comptroller" means the comptroller in a municipality having a comptroller; in a municipality having no comptroller, it means the chief financial officer of such municipality.

10. The term "state" means New York state.

11. The term "government" includes the state, a municipality and the federal government, and any agency or instrumentality, corporate or otherwise, of any of them acting for and on behalf of the state, a municipality or the federal government.

12. The term "area" means a section of the municipality wherein the commissioner or an authority or a municipality finds that insanitary or substandard housing conditions exist. An area may include land whether improved or unimproved, and buildings or improvements not in themselves insanitary or substandard, the inclusion of which is deemed necessary by the authority or the municipality or the commissioner, or for projects of housing companies by the commissioner, for the effective clearance, replanning, reconstruction or rehabilitation of the area of which such land or property is a part.

13. The term "plan" means a plan or undertaking for the clearance, replanning and reconstruction or rehabilitation of a substandard and insanitary area or areas and for recreational and other facilities incidental or appurtenant thereto to effectuate the purposes of article eighteen of the constitution or any other provision of the constitution delegating any similar power or providing homes for persons of low income.

14. The term "project" means a specific work or improvement to effectuate all or any part of a plan. The term shall include the lands, buildings or any dwelling units therein, and improvements acquired, owned, constructed, managed or operated hereunder, to provide dwelling accommodations for persons of low income, and such stores, offices and other non-housing facilities as well as social, recreational or communal facilities, as may be deemed by the authority or municipality to be incidental or appurtenant to a project. Subject to the provisions of article eighteen of the constitution with respect to state projects, such dwelling accommodations may be provided in any section of the municipality, whether or not such section has insanitary or substandard

housing conditions. A project may be a federal project, a state project, a municipal project or, subject to the limitations contained in section seventy-five of this chapter, any combination of these.

15. The term "federal project" means a project aided or financed in whole or in part, by the federal government.

16. The term "state project" means a project aided or financed in whole or in part by the state and not by the federal government, except as may be provided in section seventy-five of this chapter.

17. The term "municipal project" means a project other than a state project or a federal project.

18. The terms "persons of low income" and "families of low income" mean persons or families who are in the low income groups and who cannot afford to pay enough to cause private enterprise in their municipality to build a sufficient supply of adequate, safe and sanitary dwellings.

19. The term "mortgage" means mortgages, deeds of trust, building and loan contracts or other instruments creating a lien.

20. The terms "real property" or "property" shall include lands and improvements, lands under water, waterfront property, the water of any lake, pond or stream, and any and all easements, franchises and hereditaments, corporeal or incorporeal, and every estate, interest and right therein, legal and equitable, in lands or water, and right, interest, privilege, easement and franchise relating to the same, including terms for years and liens by way of judgment, mortgage or otherwise.

21. The term "obligee" shall include any bondholder, trustee or trustees for any bondholders or any lessor demising property to an authority or municipality used in connection with a project or an assignee or assignees of such lessor's interest, and a government, which is a party to any contract with the authority or municipality.

22. The term "going state rate of interest" means, at any time, the annual rate of interest specified in the bonds of the state issued to provide funds for a loan to effectuate the provisions of this chapter, and if no such bonds have been issued, then the term means an annual interest rate of two and one-half per centum.

23. The term "low rent housing" means dwellings within the financial reach of families of low income and embraces recreational and other facilities incidental and appurtenant thereto.

24. The term "project cost" means the cost of any or all undertakings necessary for planning, financing (including payment of carrying charges), land acquisition, demolition, construction, equipment, and site development of new buildings, reconstruction, rehabilitation, repair or remodeling of existing buildings, but, except as to existing housing company projects, or parts thereof, sold, leased or otherwise conveyed to an authority, not beyond the point of physical completion, and the cost of tenant placement service in connection with a project. In the case of new construction, the "project cost" shall be sufficient to encourage excellence of architectural design, variety and interest in building materials, and aesthetic objectives compatible with prudent budgeting. Where a housing company project, or a part thereof, is purchased by, leased or otherwise conveyed to an authority, the term "project cost" may include the cost of such purchase, lease or other conveyance as determined and certified by the commissioner.

25. The term "condemnation" means the acquisition of real property in the manner provided by the eminent domain procedure law by the municipality in which the real property is to be taken.

26. The term "planning commission" means any agency of a municipality authorized to prepare, adopt or amend the map of the municipality or empowered to prepare and adopt and from time to time modify a comprehensive or master plan of the municipality.

27. The term "tenant services" shall include but not be limited to counseling on household management, housekeeping, budgeting, money

management, child care, and similar matters or services which are directly related to meeting tenant needs and providing a wholesome living environment; and referral to appropriate agencies when necessary for the provision of such services.

ARTICLE II

DIVISION OF HOUSING

- Section 10. Division of housing and community renewal.
- 11. Commissioner of housing and community renewal; appointment; term of office; vacancies; salaries.
 - 12. Officers and employees.
 - 12-b. Refunds.
 - 13. Disqualification of commissioner, officers and employees.
 - 14. Powers and duties of the commissioner; generally.
 - 15. Actions and proceedings against the commissioner or the state; intervention by commissioner in certain actions and proceedings.
 - 16. Powers and duties of commissioner with respect to state projects.
 - 17. Occupancy preference.
 - 18. Effects of breach or of acquisition of projects by third persons.
 - 19. Rules and regulations.
 - 19-a. Electronic lease regulations.
 - 20. Annual reports.

§ 10. Division of housing and community renewal. There shall be in the executive department a division of housing and community renewal. Reference in this chapter or in any other general, special or local law to the division of housing shall be deemed to mean and refer to the division of housing and community renewal which is hereby made the new title of such division.

§ 11. Commissioner of housing and community renewal; appointment; term

of office; vacancies; salaries. The head of the division of housing and community renewal shall be the commissioner of housing and community renewal who shall be appointed by the governor and shall hold office during his pleasure. The commissioner shall receive an annual salary to be fixed by the governor within the amount appropriated therefor. The commissioner shall be the chief executive officer of the division, and he may, by order filed in the executive department, delegate any of his powers to or direct any of his duties to be performed by a deputy, except the power to appoint or remove officers or employees or to fix their compensation.

§ 12. Officers and employees. Subject to approval by the governor, or pursuant to rules prescribed by him, the commissioner may appoint such officers and employees as may be required for the performance of the powers and duties of the division, determine their qualifications and fix their compensation within the amount provided by appropriation.

§ 12-b. Refunds. Moneys received by the state division of housing or the commissioner of housing pursuant to this chapter and the private housing finance law or under any agreement prior to July first, nineteen hundred sixty-one may be refunded: (a) where such moneys were not required by law or the commissioner's rules or regulations; (b) where such moneys were in excess of the amounts that may be required by law or as fixed by the commissioner pursuant to law or the commissioner's rules or regulations. Any such moneys received after July first, nineteen hundred sixty-one shall not be so refunded unless application for such refund has been made within three years after its receipt by the state division of housing.

§ 13. Disqualification of commissioner, officers and employees. Neither the commissioner, nor any officer or employee in the division of housing shall acquire any interest direct or indirect in a project or in any property then or thereafter included or planned to be included in a project, nor retain any interest direct or indirect in any property

acquired subsequently to his appointment or employment which is later included or to his knowledge planned to be included in a project, nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used in connection with a project. If the commissioner or any officer or employee in the division of housing owns or controls an interest direct or indirect in any property included in any project, which was acquired prior to his appointment or employment, he shall disclose such interest and the date of acquisition thereof in writing to the governor or the commissioner, as the case may be, and such disclosure shall be entered in a special record of the division of housing kept for such purpose.

§ 14. Powers and duties of the commissioner; generally. 1. In addition to the powers hereinafter granted, the commissioner, his counsel or any other officer or employee of the division specially designated by the commissioner shall have the following powers:

(a) assist in the preparation of legislation and formulate regulations in relation to authorities and their functions;

(b) investigate into monopolies of building materials, and extortionate, illegal or unfair activities or practices affecting the cost of construction or production of buildings and cooperate with federal and state investigating officers to end such abuses;

(c) make reports from time to time to the governor with respect to matters within his jurisdiction;

(d) investigate into the affairs of authorities and into the dealings, transactions or relationships of authorities with third persons;

(e) administer oaths, take affidavits, hear testimony and take proof under oath at public or private hearings;

(f) make or order inspections of all places to which his duties relate;

(g) subpoena and require the attendance of witnesses and the production of books and papers pertaining to the investigations and inquiries authorized by this chapter and examine them in relation to any matter he has power to investigate;

(h) issue commissions for the examination of witnesses who are out of the state or unable to attend before him or are excused from attendance;

(i) subject to the powers of the state comptroller or of municipal comptroller, as the case may be, prescribe methods and forms for keeping accounts, records and books to be used by an authority;

(j) require an authority to file periodic reports not more often than quarterly, covering its operations and activities, in a form prescribed by him;

(k) investigate the possibility of negotiating a fixed annual wage for laborers, workmen or mechanics employed in the housing industry generally for the purpose of stabilizing employment in such industry;

(l) investigate into housing needs and conditions in the state and into the means of improving such conditions; collect and distribute information relating to housing needs and conditions and methods of dealing therewith.

(m) assist, participate in and otherwise cooperate with, at the request of, the person or persons or department of any county, city, town, village or other local government charged with the enforcement of laws, ordinances, codes and regulations in relation to multiple dwellings in the discharge of such duties.

(n) enter into contracts with the federal government to receive grants to assist in financing tenant services; enter into contracts with and distribute the proceeds of such grants to other state agencies and officials, housing authorities, other public corporations, non-profit and other private organizations when, in the commissioner's discretion, such services might be better provided under such contracts.

(o) apply for and contract with, or receive and accept assistance as an agent of the state, acting by and through the division of housing and community renewal, in the form of gifts, grants, loans of funds or of property, or other aid in any form, from the federal government or any agency or instrumentality thereof for purposes of (i) providing housing for persons of low income, (ii) the clearance, replanning, reconstruction and rehabilitation of substandard or insanitary housing or areas, (iii) the development or redevelopment of distressed, deteriorated or underutilized communities or deteriorating neighborhoods, or (iv) the construction or rehabilitation of recreational and other facilities incidental thereto, and to do any and all things which may be required under any federal law, regulation or contract in connection with such assistance. No action pursuant to this

paragraph shall be taken on behalf of or for the benefit of a unit of local government except at the request of or with the consent of such unit. The power herein granted shall not limit the power of any municipality or agency thereof, or any housing authority or other public corporation or any private entity to apply for and contract with the federal government or any agency or instrumentality thereof for purposes of receiving such gifts, grants, loans or other aid.

(p) develop, publish and distribute a land development guide which shall describe those issues which are relevant to the development of an appropriate local land use ordinance for localities of varying size and composition. Such guide may, in the discretion of the commissioner, contain model ordinances, local laws and procedures which may be adopted by localities in regulating the development of land. Such guide shall describe the merits and problems of procedures which localities may include in any land development law ordinance including but not limited to:

(i) the utilization of a single consolidated application form for use by all local agencies having jurisdiction to review and approve such development;

(ii) coordination of staff review and communications between staff and the applicant;

(iii) the elimination of separate public hearings by reviewing state, county and local agencies having jurisdiction whenever practicable and if requested by the applicant;

(iv) the concurrent running of all applicable time limits for decisions by all approving and reviewing agencies; and

(v) other matters that will encourage efficiency and clarity in the land development approval process including the possible use of state inducements for localities to address land use development issues. For the preparation of such guide, the commissioner shall establish and meet regularly with an advisory committee of no more than twelve persons. One member shall be appointed by the temporary president of the senate, one member shall be appointed by the minority leader of the senate, one member shall be appointed by the speaker of the assembly and one member shall be appointed by the minority leader of the assembly. The commissioner shall appoint all other members of the advisory committee and shall designate the chairman of the advisory committee. The advisory

committee membership shall be as representative of the various geographical areas of the state as is practicable and shall include representatives of New York city and other local governments, state government, planning agencies, builder organizations, housing development companies, nonprofit housing development organizations, environmental organizations and professional design organizations. Advisory committee members shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

The commissioner shall publish the first such guide, no later than the thirty-first day of March, 1991. Models published pursuant to this subdivision shall be distributed to local governments and other interested agencies, organizations and persons.

(w) enter into contracts, as an agent of the state, with private entities to encourage the development of new multi-family housing in municipalities found by the legislature to be suffering from a housing emergency at the time of contracting. Such contracts shall include a commitment by the state that any such new housing shall remain exempt from rent control, rent stabilization and any other form of rent regulation for a term of fifty years except where equivalent, co-terminus and general controls of prices and wages are imposed or where the owner or developer of such housing voluntarily agrees to accept such regulation in consideration for tax or other governmental benefits. Notwithstanding any other provision of law to the contrary, an agreement by the developer to build new multi-family housing in an area suffering from a housing emergency shall be deemed good and valid consideration for the foregoing commitment by the state.

(x) enforce the emergency tenant protection act of nineteen seventy-four, the emergency housing rent control law, the local emergency housing rent control act, the rent stabilization law of nineteen sixty-nine and any regulations, rules and policies enacted pursuant thereto, in addition to any other laws, rules or regulations related to housing that is financed, administered, overseen or otherwise regulated by the agency or its related entities which constitute component parts of the division; such enforcement authority shall include, but not be limited to, all of the powers granted by the other

provisions of this subdivision, the statutes, rules, regulations and other documents governing the administration of housing by the division, and, where applicable, the power to issue orders.

2. Subject to approval by the state comptroller, and by the attorney-general as to form, the commissioner shall have power to make and execute contracts and other instruments necessary or convenient to the exercise of his powers relating to state loans and subsidies. The commissioner shall have power to sue in the name of the people of the state; to enforce, by appropriate actions or proceedings, any rights of the state conferred by any law, mortgage, lien, bond, contract or agreement and shall be represented in all litigated matters by the attorney-general.

3. Subject to approval by the state comptroller, the commissioner may consent to the modification of any contract or agreement to which the state is a party pursuant to the provisions of this chapter.

4. The agency shall promulgate regulations, rules and policies which provide for the rights of family members to succeed in certain cases to the rights of tenants protected by the emergency tenant protection act of nineteen seventy-four, the emergency housing rent control law, the local emergency housing rent control act, the administrative code of the city of New York and any regulations, rules and policies enacted pursuant thereto. Such regulations, rules and policies shall contain provisions which include, but shall not be limited to, the following:

(a) that unless otherwise prohibited by occupancy restrictions based upon income limitations pursuant to federal, state or local law, regulations or other requirements of governmental agencies, any member of the tenant's family, as defined in paragraph (c) of this subdivision, shall succeed to the rights of a tenant under such acts and laws where the tenant has permanently vacated the housing accommodation and such family member has resided with the tenant in the housing accommodation as a primary residence for a period of no less than two years, or where such person is a "senior citizen" or a "disabled person," as defined in paragraph (c) of this subdivision, for a period of no less than one year, immediately prior to the permanent vacating of the housing

accommodation by the tenant, or from the inception of the tenancy or commencement of the relationship, if for less than such periods. For the purposes of this paragraph, "permanently vacated" shall mean the date when the tenant of record permanently stops residing in the housing accommodation regardless of subsequent contacts with the unit or the signing of lease renewals or continuation of rent payments. The minimum periods of required residency set forth in this subdivision shall not be deemed to be interrupted by any period during which the "family member" temporarily relocates because he or she:

- (i) is engaged in active military duty;

- (ii) is enrolled as a full time student;

- (iii) is not in residence at the housing accommodation pursuant to a court order not involving any term or provision of the lease, and not involving any grounds specified in the real property actions and proceedings law;

- (iv) is engaged in employment requiring temporary relocation from the housing accommodation;

- (v) is hospitalized for medical treatment; or

- (vi) has such other reasonable grounds that shall be determined by the commissioner upon application by such person.

(b) that a tenant may in a form prescribed by the division of housing and community renewal, at any time, advise the landlord of, or a landlord may at any time but no more often than once in any twelve months, request from the tenant, the names of all persons other than the tenant who are residing in the housing accommodation, and the following information pertaining to such persons:

- (i) if the person is a "family member" as defined in paragraph (c) of this subdivision; and

- (ii) if the person is, or upon the passage of the applicable minimum period of required residency, may become a person entitled to be named as a tenant on a renewal lease or to protection from eviction pursuant to paragraph (a) of this subdivision, and the date of the commencement of such person's primary residence with the tenant; and

- (iii) if the person is a "senior citizen" or a "disabled person" as defined in paragraph (c) of this subdivision.

Failure of the tenant to provide such information to the landlord,

regardless of whether the landlord requests the information, shall place upon all such persons not so made known to the landlord, who seek to exercise the right to be named as a tenant on a renewal lease or the right to protection from eviction as provided for in this subdivision, the affirmative obligation to establish such right.

(c) that for the purposes of such regulations: (i) "family member" shall be defined as a husband, wife, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, brother, sister, grandfather, grandmother, grandson, granddaughter, daughter-in-law, son-in-law, mother-in-law or father-in-law of the tenant; or any other person residing with the tenant in the housing accommodation as a primary residence who can prove emotional and financial commitment, and interdependence between such person and the tenant. Although no single factor shall be solely determinative, evidence which is to be considered in determining whether such emotional and financial commitment and interdependence existed, may include, without limitation, such factors as listed below. In no event would evidence of a sexual relationship between such persons be required or considered.

(A) longevity of the relationship;

(B) sharing of or relying upon each other for payment of household or family expenses, or other common necessities of life;

(C) intermingling of finances as evidenced by, among other things, joint ownership of bank accounts, personal and real property, credit cards, loan obligations, sharing a household budget for purposes of receiving government benefits, or such other factors as may be determined by regulation;

(D) engaging in family-type activities by jointly attending family functions, holidays and celebrations, social and recreational activities, or such other factors as may be determined by regulation;

(E) formalizing of legal obligations, intentions, and responsibilities to each other by such means as executing wills naming each other as executor or beneficiary, conferring upon each other a power of attorney or authority to make health care decisions each for the other, entering into a personal relationship contract, making a domestic partnership declaration, or serving as a representative payee for purposes of public benefits, or such other factors as may be determined by regulation;

(F) holding themselves out as family members to other family members,

friends, members of the community or religious institutions, or society in general, through their words or actions;

(G) regularly performing family functions, such as caring for each other or each other's extended family members, or relying upon each other for daily family services;

(H) engaging in any other pattern of behavior, agreement, or other action which evidences the intention of creating a long-term, emotionally-committed relationship.

(ii) a "senior citizen" is defined as a person who is sixty-two years of age or older;

(iii) a "disabled person" is defined as a person who has an impairment which results from anatomical, physiological or psychological conditions, other than addiction to alcohol, gambling, or any controlled substance, which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques, and which are expected to be permanent and which substantially limit one or more of such person's major life activities.

5. In order to effectuate the collection, administration and payment of rent payments pursuant to article seven of the real property actions and proceedings law, the division of housing and community renewal shall, in cooperation with the office of court administration, select through a competitive process, approved by the state comptroller, a competent financial institution for the deposit and management of such payments.

6. Wherever the commissioner has the discretion to determine contract awards through a competitive application process, the commissioner shall give preference to applications that propose feasible projects to be developed and will be located on a brownfield site that has received a certificate of completion.

7. The lease rider promulgated by the commissioner pursuant to the emergency tenant protection act of nineteen hundred seventy-four or the rent stabilization law of nineteen hundred sixty-nine which is provided to tenants shall set forth information relating to fees which an owner may charge tenants separate and apart from and in addition to the rent

for the housing accommodation, as well as a description of such fees.

§ 15. Actions and proceedings against the commissioner or the state; intervention by commissioner in certain actions and proceedings. With regard to duties or liabilities arising out of this chapter, the state or the commissioner may be sued in the same manner as a private person. In any action or proceeding affecting any state project the commissioner shall be given notice thereof, and he shall take such steps in such action or proceeding as may be necessary to protect the public interest. If, in the opinion of the commissioner, it is necessary or desirable in the public interest, that he intervene in such action or proceeding he shall be permitted to do so as a matter of right. Whenever in connection with a state project under any instrument or law, a notice of default in writing is required to be served upon an authority or municipality before the institution of any action or proceeding, a copy of such notice shall be served upon the commissioner at least five days before commencement of the action or proceeding. No costs shall be awarded against the commissioner or the state in any such litigation.

§ 16. Powers and duties of commissioner with respect to state projects. With respect to any state project, the commissioner shall have the following duties and powers: 1. To order such repairs of the buildings and structures constituting the project as may be necessary.

2. To order the authority or the municipality if the project is undertaken or operated by the municipality, to do such acts as may be necessary to comply with the provisions of this chapter, or any rule or regulation adopted by the commissioner, or the terms of the contract for state aid, or to refrain from doing any act in violation of any of the foregoing.

3. To enforce his orders by mandamus or injunction in a summary proceeding.

4. To permit the consolidation of two or more approved state projects

or the extension or amendment thereof or the consolidation of any approved state project with a proposed project. In any such case, the consolidated state project shall be treated as an original state project and an application shall be submitted as in the case of an original state project and the rents and costs of the consolidated project may be averaged. Consolidation hereunder may be permitted regardless of whether the state projects to be consolidated are contiguous or adjacent to each other. Such contracts as may have been made with regard to approved state projects may, upon consolidation of the projects, also be consolidated and contracts for consolidated state projects shall be subject to all the provisions of this chapter, governing original state projects.

§ 17. Occupancy preference. The occupancy of any state project shall be restricted to persons of low income and preference shall be given to persons who live or shall have lived in the substandard or insanitary area or areas which have been or will be cleared, replanned, reconstructed or rehabilitated pursuant to a plan.

§ 18. Effects of breach or of acquisition of projects by third persons. In every contract for a loan by the state or for periodic subsidies by the state, or both, a substantial breach of the condition set forth therein providing for the maintenance of the project as low rent housing shall be defined in such terms as the commissioner shall deem to be in the public interest and consistent with the provisions and purposes of this chapter. In every such contract the commissioner shall retain the right, in the event of such a substantial breach or in the event of the acquisition of title to the project by a third party, other than a government authorized to engage in the administration of low rent housing and approved by the commissioner, in any manner including a bona fide foreclosure under a mortgage or other lien held by a third party, to increase the interest payable thereafter on the unpaid balance of any loan made pursuant to the contract to a rate not in excess of the going state rate of interest (at the time of such breach or acquisition) plus two per centum per annum or to declare any such unpaid balance due

forthwith and to reduce or terminate any periodic subsidies payable under the contract.

§ 19. Rules and regulations. The commissioner shall have the power, from time to time, to make, promulgate, modify, amend and repeal rules and regulations to effectuate his powers and duties. No such rule or regulation except such as relates to the organization or internal management of the division of housing, shall be effective until it is filed in the office of the department of state.

§ 19-a. Electronic lease regulations. 1. The commissioner, in consultation with the electronic facilitator as defined in section three hundred three of the state technology law, shall promulgate rules and regulations authorizing the use of electronic records or signatures on a voluntary basis by tenants for residential leases and lease renewals of units for which the owner is required to file annual registration statements, pursuant to either section twelve-a of the emergency tenant protection act of nineteen seventy-four or section 26-517 of the administrative code of the city of New York, in a manner that conforms with the requirements of article three of the state technology law.

2. Such rules and regulations shall include, but not be limited to, procedures regarding notification to tenants regarding affirmative consent to the use of electronic records and that the use of electronic records and signatures is voluntary pursuant to section three hundred nine of the state technology law.

3. The division shall also develop a form in the top six languages other than English spoken in the state according to the latest available data from the U.S. Bureau of Census that confirms a tenant's affirmative consent to the use of electronic records. Such form shall clearly state the requirement that the use of electronic records and signatures is voluntary and cannot be required by a landlord, cite the relevant parts of the electronic signatures and records act, and require that copies of this signed consent form be provided to the tenant. No electronic

records shall be accepted by any court or any unit of the division unless such consent form is provided to such courts or the division.

§ 20. Annual reports. 1. The commissioner shall, on or before October first in each year, beginning in nineteen hundred ninety, submit one or more reports to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and minority leader of the assembly on the activity and implementation of the state housing assistance programs for the previous fiscal year. In addition, the commissioner shall, on or before February first in each year, beginning in nineteen hundred ninety-one, submit an interim report which contains, in tabular format only, the non-narrative data compiled through November thirtieth of each year. The commissioner shall submit on or before February first, nineteen hundred ninety a report for the fiscal year commencing April first, nineteen hundred eighty-eight and the most up to date non-narrative data, in tabular format only, but in no event less than the data compiled through September thirtieth, nineteen hundred eighty-nine. All such reports shall include, but not be limited to the low income housing trust fund program, the affordable home ownership development program, the urban initiatives program, the rural area revitalization program, the rural rental assistance program, the homeless housing and assistance program, the housing opportunities program for the elderly, the state of New York mortgage agency forward commitment and mortgage insurance programs, the housing finance agency secured loan rental program, the turnkey/enhanced housing trust fund program, the special needs housing program, the permanent housing for the homeless program, the infrastructure development demonstration program and the mobile home cooperative fund program. For the purpose of producing such report or reports, the commissioner shall be authorized to rely on information provided by each administering agency or authority. Such report or reports shall, to the extent applicable to a specific program, include but not be limited to: (i) a narrative for each program reported describing the program purpose, eligible applicants, eligible areas, income population to be served, and limitations on funding; (ii) for each eligible applicant receiving funding under the Housing Trust Fund or the Affordable Home Ownership

Development programs during the year specified herein, such applicant's name and address, a description of the applicant's contract amount, a narrative description of the specific activities performed by such applicant, and the income levels of the occupants to be served by the units all as proposed by the applicant at the time the contract is awarded; (iii) a description of the distribution of funds for each category of project funded under each program; (iv) the number of units or beds under award, under contract, under construction and completed based on a change in project status during the year for each program; (v) the number of units or beds assisted during the year under each program; (vi) the amount and type of assistance provided for such units or beds placed under contract; (vii) based on total project costs, the number of units or beds under contract and assisted through new construction, substantial rehabilitation, moderate rehabilitation, improvements to existing units or beds, and through acquisition only for each program; (viii) for the number of units or beds under contract assisted through new construction, substantial rehabilitation, moderate rehabilitation, improvements to existing units or beds, and through acquisition only, the level of state assistance expressed as a percentage of total project cost; (ix) for those units and beds under contract a calculation of the amount of non-state funds provided expressed as a percentage of total project cost; (x) the number of units or beds completed and under award, under contract and under construction for each program based on the current program pipeline; (xi) for units or beds for which mortgage assistance was provided by the state of New York mortgage agency, the number of existing and newly constructed units; and (xii) a list, by program, of units or beds assisted within each county. To the extent that any law establishing or appropriating funds for any of the aforementioned programs requires the commissioner to produce a report containing data substantially similar to that required herein, this report shall be deemed to satisfy such other requirements.

2. The commissioner shall, on or before December thirty-first, two thousand nineteen, and on or before December thirty-first in each subsequent year, submit and make publicly available a report to the governor, the temporary president of the senate, the speaker of the

assembly, and on its website, on the implementation of the system of rent regulation pursuant to chapter five hundred seventy-six of the laws of nineteen hundred seventy-four, chapter two hundred seventy four of the laws of nineteen hundred forty-six, chapter three hundred twenty-nine of the laws of nineteen hundred sixty-three, chapter five hundred fifty-five of the laws of nineteen hundred eighty-two, chapter four hundred two of the laws of nineteen hundred eighty-three, chapter one hundred sixteen of the laws of nineteen hundred ninety-seven, sections 26-501, 26-502, and 26-520 of the administrative code of the city of New York and the housing stability and tenant protection act of 2019. Such report shall include but not be limited to: a narrative describing the programs and activities undertaken by the office of rent administration and the tenant protection unit, and any other programs or activities undertaken by the division to implement, administer, and enforce the system of rent regulation; and in tabular format, for each of the three fiscal years immediately preceding the date the report is due: (i) the number of rent stabilized housing accommodations within each county; (ii) the number of rent controlled housing accommodations within each county; (iii) the number of applications for major capital improvements filed with the division, the number of such applications approved as submitted, the number of such applications approved with modifications, and the number of such applications rejected; (iv) the median and mean value of applications for major capital improvements approved; (v) the number of units which were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation; (vi) for housing accommodations that were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation, the median and mean difference between the registered rent for a housing accommodation and the amount charged to and paid by the tenant; (vii) the median and mean registered rent for housing accommodations for which the lease was renewed by an existing tenant; (viii) the median and mean registered rent for housing accommodations for which a lease was signed by a new tenant after a vacancy; (ix) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy; (x) the median and

mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was the full registered rent; (xi) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was less than the registered rent; (xii) the number of rent overcharge complaints processed by the division; (xiii) the number of final overcharge orders granting an overcharge; (xiv) the number of investigations commenced by the tenant protection unit, the aggregate number of rent stabilized or rent controlled housing accommodations in each county that were the subject of such investigations, and the dispositions of such investigations. At the time the report is due, the commissioner shall make available to the governor, the temporary president of the senate, the speaker of the assembly, and shall make publicly available, and on its website in machine readable format, the data used to tabulate the figures required to be included in the report, taking any steps necessary to protect confidential information regarding ongoing investigations, individual buildings, housing accommodations, property owners, and tenants.

ARTICLE 2-A

NEW YORK STATE LOW INCOME HOUSING TAX CREDIT PROGRAM

Section 21. Definitions.

22. Allowance of credit, amount and limitations.

23. Project monitoring.

24. Credit recapture.

25. Regulations, coordination with federal low-income housing credit provisions.

§ 21. Definitions. 1. (a) "Applicable percentage" means the appropriate percentage (depending on whether a building is new, existing, or federally subsidized) prescribed by the secretary of the treasury for purposes of section 42 of the internal revenue code for the

month which is the earlier of

(i) the month in which the eligible low-income building is placed in service, or

(ii) at the election of the taxpayer,

(A) the month in which the taxpayer and the commissioner enter into an agreement with respect to such building (which is binding on the commissioner, the taxpayer, and all successors in interest) as to the housing credit dollar amount to be allocated to such building, or

(B) in the case of any building to which subsection (h)(4)(B) of such section 42 applies, the month in which the tax-exempt obligations are issued.

(b) A month may be elected under subparagraph (ii) of paragraph (a) of this subdivision only if the election is made not later than the fifth day after the close of such month. Such election, once made, shall be irrevocable.

(c) If, as of the close of any taxable year in the credit period, the qualified basis of an eligible low-income building exceeds such basis as of the close of the first year of the credit period, the applicable percentage which shall apply to such excess shall be two-thirds of the applicable percentage originally ascribed to such building.

2. "Compliance period" means, with respect to any building, the period of fifteen taxable years beginning with the first taxable year of the credit period with respect to such building.

3. "Credit period" means, with respect to any eligible low-income building, the period of ten taxable years beginning with

(a) the taxable year in which the building is placed in service, or

(b) at the election of the taxpayer, the succeeding taxable year, but only if the building is an eligible low-income building as of the close of the first year of such period. The election under paragraph (b) of this subdivision, once made, shall be irrevocable.

4. "Eligibility statement" means a statement issued by the commissioner certifying that a building is an eligible low-income building. Such statement shall set forth the taxable year in which such building is placed in service, the dollar amount of low-income housing

credit allocated by the commissioner to such building as provided in subdivision five of section twenty-two of this article, the applicable percentage and maximum qualified basis with respect to such building taken into account in determining such dollar amount, sufficient information to identify each such building and the taxpayer or taxpayers with respect to each such building, and such other information as the commissioner, in consultation with the commissioner of taxation and finance, shall prescribe. Such statement shall be first issued following the close of the first taxable year in the credit period, and thereafter, to the extent required by the commissioner of taxation and finance, following the close of each taxable year of the compliance period.

5. "Eligible low-income building" means a building located in this state which either

(a) is a qualified low-income building as defined in section 42(c) of the internal revenue code, or

(b) would be a qualified low-income building under such section if the 20-50 test specified in subsection (g)(1) of such section were disregarded and the 40-60 test specified in such subsection (requiring that at least forty percent of residential units be both rent-restricted and occupied by individuals whose income is sixty percent or less of area median gross income) were a 40-90 test.

6. "Qualified basis" of an eligible low-income building means the qualified basis of such building determined under section 42(c) of the internal revenue code, or which would be determined under such section if the 40-90 test specified in paragraph (b) of subdivision five of this section applied under such section 42 to determine if such building were part of a qualified low-income housing project.

7. References in this article to section 42 of the internal revenue code shall mean such section as amended from time to time.

§ 22. Allowance of credit, amount and limitations. 1. A taxpayer subject to tax under article nine-A, twenty-two, or thirty-three of the

tax law which owns an interest in one or more eligible low-income buildings, or a transferee of such a taxpayer as described in subdivision eight of this section, shall be allowed a credit against such tax for the amount of low-income housing credit allocated by the commissioner to each such building. Except as provided in subdivision two of this section, the credit amount so allocated shall be allowed as a credit against the tax for the ten taxable years in the credit period.

2. Adjustment of first-year credit allowed in eleventh year. The credit allowable for the first taxable year of the credit period with respect to any building shall be adjusted using the rules of section 42(f)(2) of the internal revenue code (relating to first-year adjustment of qualified basis by the weighted average of low-income to total residential units), and any reduction in first-year credit by reason of such adjustment shall be allowable for the first taxable year following the credit period.

3. Amount of credit. Except as provided in subdivisions four and five of this section, the amount of low-income housing credit shall be the applicable percentage of the qualified basis of each eligible low-income building. Buildings financed by refunded bonds using the rules of section 146(i)(6) of the internal revenue code, shall be eligible for credit pursuant to the rules of section 42(b)(2) of the internal revenue code.

* 4. Statewide limitation. The aggregate dollar amount of credit which the commissioner may allocate to eligible low-income buildings under this article shall be two hundred seventeen million dollars. The limitation provided by this subdivision applies only to allocation of the aggregate dollar amount of credit by the commissioner and does not apply to allowance to a taxpayer of the credit with respect to an eligible low-income building for each year of the credit period.

* NB Effective until April 1, 2027

* 4. Statewide limitation. The aggregate dollar amount of credit which the commissioner may allocate to eligible low-income buildings under this article shall be two hundred forty-seven million dollars. The limitation provided by this subdivision applies only to allocation of the aggregate dollar amount of credit by the commissioner and does not

apply to allowance to a taxpayer of the credit with respect to an eligible low-income building for each year of the credit period.

* NB Effective April 1, 2027 until April 1, 2028

* 4. Statewide limitation. The aggregate dollar amount of credit which the commissioner may allocate to eligible low-income buildings under this article shall be two hundred seventy-seven million dollars. The limitation provided by this subdivision applies only to allocation of the aggregate dollar amount of credit by the commissioner and does not apply to allowance to a taxpayer of the credit with respect to an eligible low-income building for each year of the credit period.

* NB Effective April 1, 2028 until April 1, 2029

* 4. Statewide limitation. The aggregate dollar amount of credit which the commissioner may allocate to eligible low-income buildings under this article shall be three hundred seven million dollars. The limitation provided by this subdivision applies only to allocation of the aggregate dollar amount of credit by the commissioner and does not apply to allowance to a taxpayer of the credit with respect to an eligible low-income building for each year of the credit period.

* NB Effective April 1, 2029

5. Building limitation. The dollar amount of credit allocated to any building shall not exceed the amount the commissioner determines is necessary for the financial feasibility of the project and the viability of the building as an eligible low-income building throughout the credit period. In allocating a dollar amount of credit to any building, the commissioner shall specify the applicable percentage and the maximum qualified basis which may be taken into account under this article with respect to such building. The applicable percentage and the maximum qualified basis with respect to a building shall not exceed the amounts determined in subdivisions one and six, respectively, of section twenty-one of this article.

6. Long-term commitment to low-income housing required. No credit shall be allowed under this article with respect to a building for the taxable year unless an extended low-income housing commitment is in effect as of the end of such taxable year. For purposes of this subdivision, the term "extended low-income housing commitment" means an

agreement between the taxpayer and the commissioner substantially similar to the agreement specified in section 42(h)(6)(B) of the internal revenue code.

7. Credit to successor owner. If a credit is allowed under subdivision one of this section with respect to an eligible low-income building and such building (or an interest therein) is sold during the credit period, the credit for the period after the sale which would have been allowable under such subdivision one to the prior owner had the building not been sold shall be allowable to the new owner. Credit for the year of sale shall be allocated between the parties on the basis of the number of days during such year that the building or interest was held by each.

8. (a) A taxpayer allowed a credit pursuant to this article may transfer the credit, in whole or in part, to another person or entity, who shall be referred to as the transferee, without regard to how any federal low-income housing tax credit with respect to the low-income building may be allocated and notwithstanding that such other person or entity owns no interest in the eligible low-income building or in an entity with an ownership interest in the eligible low-income building. Transferees shall be entitled to apply transferred credit to a tax imposed under article nine-A, twenty-two or thirty-three of the tax law, provided all requirements for claiming the credit are met. A transferee may not transfer any credit, or portion thereof, acquired by transfer.

(b) A taxpayer allowed a credit pursuant to this article must enter into a transfer contract with the transferee. The transfer contract must specify

(i) the building identification numbers for all buildings in the project;

(ii) the date each building was placed into service;

(iii) the fifteen year compliance period for the project;

(iv) the schedule of years for which the transfer credit may be claimed and the amount of credit previously claimed;

(v) the amount of consideration received by the taxpayer for the transfer credit; and

(vi) the amount of credit being transferred.

(c) No transfer shall be effective unless the taxpayer allowed a

credit pursuant to this article and seeking to transfer the credit files a transfer statement with the commissioner prior to the transfer and the commissioner approves such transfer. The transfer statement shall provide the name and federal identification numbers of the filing transferor and the taxpayer to whom the filing transferor transferred the credit, and the amount of credit transferred to each such person or entity. A copy of the transfer contract shall be attached to the transfer statement. The statement shall also contain such other information as the commissioner may require. After reviewing the transfer contract and the transfer statement, the commissioner shall approve or deny the transfer as provided in this subdivision. If the commissioner approves the transfer, the commissioner shall issue an approval statement that provides the name of the transferor and transferee, the amount of credit being transferred and such other information as the commissioner and the commissioner of taxation and finance deem necessary. A copy of the commissioner's approval statement must be attached to the transferee's tax return. If the commissioner denies the transfer, the commissioner shall provide the taxpayer a written determination for such denial. The commissioner, in consultation with the commissioner of taxation and finance, may establish such other procedures and standards deemed necessary for the transferability of the low-income housing credit.

(d) The commissioner shall forward copies of all transfer statements and attachments thereto and approval statements to the department of taxation and finance within thirty days after the transfer is approved by the commissioner.

§ 23. Project monitoring. The commissioner shall establish such procedures deemed necessary for monitoring compliance of an eligible low-income building with the provisions of this article, and for notifying the commissioner of taxation and finance of any such noncompliance.

§ 24. Credit recapture. If, as of the close of any taxable year in the compliance period, the amount of the qualified basis of any building

with respect to the taxpayer is less than the amount of such basis as of the close of the preceding taxable year, the credit under this article may be recaptured as provided in section eighteen of the tax law.

§ 25. Regulations, coordination with federal low-income housing credit provisions. 1. The commissioner shall promulgate rules and regulations necessary to administer the provisions of this act.

2. The provisions of section 42 of the internal revenue code shall apply to the credit under this article, provided however, to the extent such provisions are inconsistent with this article, the provisions of this article shall control.

3. The allocation of the credit established by this article may be made without regard to and in a separate manner from any federal low-income housing credit that may be allocated with respect to an eligible low-income building.

ARTICLE III

MUNICIPAL HOUSING AUTHORITIES

- Section 30. Organization of authorities.
- 31. Scope of authority's jurisdiction.
 - 32. Officers and employees; compensation and expenses.
 - 33. Transfer of officers and employees.
 - 34. Vacancies and removals.
 - 35. Non-liability of authority members.
 - 36. Disqualification of members and employees of authorities.
 - 37. Powers of authority.
 - 38.
 - 39. Projects financed solely by authorities.
 - 40. Aid from and cooperation with federal government.
 - 41. Power to issue authority bonds.
 - 42. Provisions of authority bonds.
 - 44. Signature on authority bonds.
 - 45. Repurchase of authority bonds.

46. Suit on authority bonds.
47. Bond covenants of an authority.
48. Guaranteed indebtedness of an authority.
49. Authority obligations as legal investments and legal security for deposits by public officers.
50. Foreclosure and other remedies against an authority.
51. Liability of state or municipality.
52. Tax exemptions of an authority.
53. Depositories of authority funds.
54. Filing by authority of by-laws, rules and regulations.
55. Projects undertaken by municipalities.
- 55-a. Facilities incidental or appurtenant to a project.
56. Authorities created prior to the enactment of this chapter.
57. Dissolution of authorities.
58. Sale or lease of municipal projects by authorities.
- 58-a. Sale of dwelling units by authorities.
- 58-b. Sale or lease of project in connection with federal program of assistance for low income housing.
59. Disposal of records.
60. Reproduction of records.
61. Tenant meetings in common areas.

§ 30. Organization of authorities. 1. In the case of an authority hereafter established by a special act of the legislature, the mayor of a city or village, or the town board of a town, shall file in the office of the commissioner, and a duplicate in the office of the secretary of state, a certificate signed by him or it and setting forth: (a) the date of the passage of the special act establishing the authority; (b) the name of the authority; and (c) the names of the members and their terms, specifying which member is chairman.

2. Except as otherwise provided by special act of the legislature, an authority shall consist of not less than three nor more than seven members. The members of an authority who are first appointed shall be not more than five in number and shall be designated to serve for terms

of one, two, three, four and five years respectively from the date of their appointment, depending upon the number of members constituting the authority. Thereafter the term of office of appointive members shall be five years. A member shall continue to hold office until his successor is appointed or elected and has qualified. The mayor of a city or village, or the town board of a town, shall appoint the appointive members, designate the first chairman and file with the commissioner a certificate of appointment or the reappointment of any member.

3. A majority of the members of an authority shall constitute a quorum.

4. Not more than one member of an authority may be an official or an employee of the municipality at any one time. In the event that an official or an employee of the municipality shall be appointed as a member of the authority, acceptance or retention of such appointment shall not be deemed a forfeiture of his municipal office or employment, or incompatible therewith or affect his tenure or compensation in any way. The term of office of a member of an authority who is an official of the municipality shall terminate at the expiration of the term of his municipal office.

5. Notwithstanding any other provision of law, each authority having supervision over one hundred or more occupied dwelling units and not located in a city having a population of more than one million shall include as members two tenants elected by the residents of the authority's housing for terms of two years each. Each authority coming within the provisions of this subdivision shall, within six months after the effective date of this act or within six months after the authority becomes subject to the requirements of this subdivision, adopt by-laws specifying the time and manner of the election of the tenant representatives. All residents of the authority's housing who are eighteen years of age or older shall be eligible to vote. The authority may provide in the by-laws whether both tenant representatives shall be elected simultaneously for concurrent terms or one shall be elected each year with the terms overlapping and whether both shall be elected by all the residents or each one elected by one half of the residents. The

first election shall be held within one year after the date by which by-laws for the election are required to be adopted. The by-laws shall be subject to the approval of the commissioner, and if an authority fails within the six-month period to adopt acceptable by-laws for such election the commissioner shall specify the time and manner of the election. Upon the taking of office of the two elected tenant members, the size of an authority shall be increased by two members and the term of any member appointed pursuant to this subdivision prior to January first, nineteen hundred seventy-five shall end and a new member shall be appointed for a term of five years. Acceptance or retention by a tenant of membership on an authority, whether by election or by appointment, shall not be deemed incompatible with, or a forfeiture of his tenancy. An elected tenant representative shall cease to serve as such upon termination of his tenancy for any reason, or upon his becoming subject to removal from occupancy due to the operation of section one hundred fifty-six of this chapter. Any compensation paid to an elected or appointed tenant member for his services to an authority shall not affect his eligibility for membership on such authority or for continued occupancy, but may be used in the determination of his rent. Any vacancy in the office of an elected tenant representative shall be filled as soon as may be practical by a new election.

§ 31. Scope of authority's jurisdiction. The territorial jurisdiction of an authority established for a city or village shall be coterminous with the territorial limits of such city or village, and the territorial jurisdiction of an authority established for a town shall include all such town, except that such territorial jurisdiction shall not include any territory that lies within the boundaries of any village, whether such village has or has not established an authority. The members of such town authority shall if they consent and when authorized by resolutions of the town board and the village board, act as the authority in and for said village, the same as if it had been created especially for said village.

§ 32. Officers and employees; compensation and expenses. 1. When the

office of the first chairman of the authority becomes vacant, the authority shall select a chairman from among its members. An authority shall select from among its members a vice-chairman, and it may employ, subject to the provisions of the civil service law applicable to the municipality in which it is established, a general manager, a secretary, technical experts and such other officers, agents and employees as it may require, and determine their qualifications, duties and, subject to the approval of the local legislative body, fix their compensation. An authority may call upon the corporation counsel or chief law officer of the municipality for such legal services as it may require and it shall reimburse the municipality for the cost of such services, or it may employ its own counsel and legal staff. This section shall not be construed to prevent an authority from engaging by contract in the execution of a project architectural, engineering or other professional or consultant services.

2. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.

3. A member of an authority may be compensated on a per diem basis at a rate to be fixed by the authority not to exceed in the aggregate two thousand dollars for a member and two thousand five hundred dollars for a chairman per annum and in addition shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of his duties.

4. Every officer, agent or employee of an authority who shall sign the receipt upon the payroll of an authority as having received the amount therein mentioned in full payment for services rendered by him for the entire time specified in such payroll or, in the event no payroll receipt is required by an authority, shall endorse a check in the amount shown upon such payroll and receive payment thereof, shall be deemed to have made an accord and satisfaction of all claims against the authority for wages, salary or other compensation due to such person from the authority for the period covered by such payroll, unless at the time of signing such payroll or endorsing such check the person receiving such wages or salary shall write legibly on the payroll in connection with

his receipt or on such check in connection with his endorsement that the amount received is received under protest, and unless such protest is so written upon such payroll or check, no recovery shall be had against the authority upon any further claim for wages, salaries or other compensation for the period of time covered by such payroll.

§ 33. Transfer of officers and employees. Officers and employees of any board or department in or of the municipality, selected by the authority, who shall theretofore have passed a civil service examination with reference to the position they then hold, may be transferred with the consent of such board or department to the authority, and shall be eligible for such transfer and appointment, without examination, and their salaries or compensation shall, during the effective period of such transfer, be paid by the authority. The officers and employees of such municipality transferred to the authority pursuant to the provisions of this section, who are members or beneficiaries of any existing pension or retirement system, shall continue to have the rights, privileges, obligations and status with respect to such system or systems, but during the period of their employment by the authority all contributions to any pension or retirement fund or system on account of such officers or employees which would, except for such transfer, have been paid by such municipality, shall be paid by the authority; and all such employees shall have the same status with respect to their positions after transfer to the authority as they had under their original appointments. Any employee so transferred may be removed by the authority in accordance with the provisions of the civil service law.

In addition to the right of reinstatement that such persons so transferred shall have pursuant to the provisions of section thirty-one of the civil service law under the circumstances, and in the cases provided in said section, such person shall have the right of reinstatement pursuant to said section not only in the service of the authority but also in the service from which such person was transferred.

§ 34. Vacancies and removals. A vacancy occurring other than by reason of the expiration of the term of a member of an authority shall be filled for the unexpired term. The mayor of a city or village, or the town board of a town, may remove a member of the authority for inefficiency, neglect of duty, or misconduct in office, but only after the member shall have been given a copy of the charges against him and an opportunity to be heard in person or by counsel in his own defense at a public hearing. In the event of removal, the mayor of a city or village, or the town board of a town, shall file with the commissioner a record of the proceedings together with a copy of the charges made against the member and his or its findings thereon. Pending the determination of charges against a member, the mayor or the town board, as the case may be, may suspend him from office.

§ 35. Non-liability of authority members. No personal liability or accountability shall attach to any member of an authority or to any person executing bonds of such authority by reason of the execution or issuance thereof.

§ 36. Disqualification of members and employees of authorities. No member or employee of an authority shall acquire any interest direct or indirect in a project or in any property then or thereafter included or planned to be included in a project, nor retain any interest direct or indirect in any property acquired subsequently to his appointment or employment which is later included or to his knowledge planned to be included in a project, nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any member or employee of any authority owns or controls an interest direct or indirect in any property included in any project, which was acquired prior to his appointment or employment, he shall disclose such interest and the date of acquisition thereof in writing to the authority prior to such appointment and such disclosure shall be entered upon the minutes of the authority.

§ 37. Powers of authority. 1. An authority shall have the following powers in addition to other powers granted in this chapter: (a) investigate into living conditions in the municipality and into the means of improving such conditions; (b) determine where insanitary or substandard housing conditions exist; (c) publish and disseminate information; (d) prepare or arrange for preparation of plans for, carry out and operate projects; (e) construct, reconstruct, improve, alter or repair or provide for the construction, reconstruction, improvement, alteration or repair of any project; (f) demolish structures; (g) clear areas; (h) lease, purchase, or otherwise acquire, manage, operate all or any part of any project, or any dwelling unit or units therein, undertaken or completed by any government or housing company; (i) Act as agent for or enter into contracts and otherwise cooperate with the federal government in connection with a federal or municipal project, or any federally-aided program to provide dwelling accommodations for persons of low income; (j) arrange, agree or contract with a government for the planning, replanning, opening, grading or closing of streets, roads, roadways, alleys or other places or for the furnishing of facilities or for the acquisition by a government of property or property rights or for the furnishing of property or services in connection with a project; (k) lease or rent, as lessor or sublessor, any of the housing or other accommodations or any of the lands, buildings, structures or facilities embraced in any project or connected with any program to provide dwelling accommodations for persons of low income, and establish and revise the rents or charges therefor; (l) enter upon any building or property in order to conduct investigations or make surveys, soundings or test borings necessary to carry out its purposes; (m) acquire or contract to acquire from any person, firm, corporation or government, by subsidy, contribution, gift, grant, bequest, devise, purchase, condemnation or otherwise, real or personal property or any interest therein or lease dwelling units from any person, firm or corporation for sublease to persons and families of low income; (n) sell, exchange, transfer, assign or mortgage any real or personal property or any interest therein; (o) own, hold, clear and improve real or personal property or any interest therein; (p) insure or provide for the insurance of its property or operations as required by

law and also against such other risks as it may deem advisable; (q) limit by contract, the exercise of any of its powers; (r) invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control; (s) sue and be sued; (t) have a seal and alter the same at pleasure; (u) have perpetual succession; (v) make and execute contracts and other instruments necessary or convenient to the exercise of its powers; (w) make and from time to time amend and repeal by-laws, rules and regulations not inconsistent with the provisions of this chapter; (x) conduct examinations and investigations, hear testimony and take proof, under oath at public or private hearings on any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of the state, unable to attend, or excused from attendance; (y) authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commissions; and (z) enter into agreements of cooperation with or for the rendition of service to an agency as defined in subdivision five of section five hundred two of the general municipal law to assist such agency, at no expense to the authority or providing for payment to the authority of the agreed proportion of compensation or costs, in connection with the management of properties in, relocation of displacees from, and the demolition of buildings in any urban renewal area, in accordance with the provisions of this chapter and, except as may be provided in such agreements, without regard to the requirements of any law otherwise applicable to such agency: and (aa) at no cost or expense to it, enter into agreements of cooperation with a municipality which need not be within the territorial jurisdiction of such authority notwithstanding the provisions of section thirty-one or article thirteen of this chapter, or with an authority of such municipality, to assist such municipality or authority in the construction, maintenance, operation or management of a project. (bb) do all things necessary or convenient to carry out its powers.

2. An authority shall file in the office of the commissioner annual reports, which shall be open to public inspection. The reports shall include for the first year of ownership or operation, in addition to any information which the commissioner may require, a statement with respect to each completed project owned or operated by the authority, of the following data: (a) total cost of the land; (b) cost of land per square foot; (c) cost of building; (d) construction costs per cubic foot and per dwelling room; (e) approximate date of completion; (f) amount of any government loan for the project; (g) amount of any periodic subsidy for the project; (h) average rental per room including and excluding utility services; (i) number of apartments, full rooms and half rooms; (j) gross floor area per room; (k) number of vacant apartments; (l) vacancy percentage; (m) total operating expenses per annum; (n) average annual operating costs per room; (o) annual income from rents of dwelling units; (p) annual income from other sources; (q) assessed valuation of property at the time of its acquisition for the project; (r) minimum, maximum and average aggregate annual income of the families occupying the project; (s) former population on site; (t) number of buildings demolished on site; (u) former density on site per gross acre; (v) present density on site per gross acre.

Each subsequent year of such continued ownership or operation, such report shall contain, in addition to any information which the commissioner may require, the following data: (a) amount of any government loan for the project; (b) amount of any periodic subsidy for the project; (c) average rental per room including and excluding utility services; (d) number of vacant apartments; (e) vacancy percentage; (f) total operating expenses per annum; (g) average annual operating costs per room; (h) annual income from rents of dwelling units; (i) annual income from other sources; (j) minimum, maximum and average aggregate annual income of the families occupying the project.

3. An authority shall file in the office of the commissioner, within six months of the effective date of regulations implementing this subdivision and in such format as the commissioner shall prescribe after consultation with the state energy office, an energy audit report for state and municipal projects which identifies potential energy-saving

building improvements, including alterations, modifications and adjustments to the building structure, heating, cooling, lighting and ventilation systems; their relative costs; potential energy and cost savings; and simple payback periods, which for the purpose of this subdivision shall mean that period of time within which the estimated cost of such improvements, exclusive of the cost of capital, would be recovered from the savings generated by reduced energy consumption resulting from the improvements. The energy audit shall be conducted by a public utility, an engineer or architect licensed by the state, or the managing agent or other representative of the authority if such individual has attended an energy audit training workshop sponsored by the commissioner or the state energy office. A copy of the energy audit report, required herein, shall be given to any duly constituted tenant's association or cooperator's advisory council and a copy shall be available for inspection and copying by any individual tenant who requests it. An authority shall also certify by March thirty-first, nineteen hundred eighty-four that all compatible conservation measures identified in the energy audit report which have simple payback periods of one year or less have been implemented; provided, however, if the commissioner determines within sixty days of the date the energy audit report is filed that one or more of such identified conservation measures cannot be implemented by March thirty-first, nineteen hundred eighty-four given the projected rent revenues and any other monies available to the authority from reserve funds, loans or grants from the state or federal government or any other source, the implementation of such conservation measures shall be provided for according to a schedule prescribed by the commissioner.

4. When an authority has been paid all or part of the principal of a state loan pursuant to this chapter and in the event that the completion of the project for which the loan was made has been delayed or that the funds of such loan for any other reason are not immediately needed for the development of the project, the authority shall have the power to invest the moneys of such loan which will not be immediately needed for the project in obligations of the categories specified in section ninety-eight of the state finance law and of maturities approved by the state comptroller.

§ 38. An authority shall file with the commissioner a copy of each proposed project embodying the plans, layout, estimated costs and proposed method of financing. Any change made in the project shall be filed with the commissioner by the authority. With reasonable promptness after each project shall have been completed, and from time to time prior to completion upon request of the commissioner, an authority shall file with the commissioner a detailed statement of the cost thereof.

Upon receipt of a copy of a proposed state project, or of any proposed change therein, the commissioner may transmit his criticisms and suggestions with reasonable promptness to the authority or the municipality. No change in a state project may be made by an authority or a municipality without the approval of the commissioner.

§ 39. Projects financed solely by authorities. An authority may undertake projects with funds obtained solely from sale of its bonds to persons, firms or corporations other than governments, provided that the municipality approves such projects in the manner provided for approval of projects involving municipal aid.

§ 40. Aid from and cooperation with federal government. An authority is empowered to include in agreements with the federal government provisions that such government shall have the right to supervise and approve the construction, maintenance and operation of any project to which such government may render any assistance, and subject to the restrictions contained in this chapter, any other terms, covenants and provisions which the authority may deem necessary or appropriate.

§ 41. Power to issue authority bonds. 1. An authority may from time to time for any of the purposes of this chapter borrow money and issue bonds in conformity with applicable provisions of the uniform commercial code in such amounts and upon such terms as it may deem advisable. Bonds

for state projects and for projects, other than federal projects, financed without a loan from a government may be issued for periods not exceeding fifty years and for a period not exceeding the probable life of the project which said period shall be calculated from the date of the bonds. Bonds for projects financed with the aid of municipal loans may be issued for periods not exceeding the probable life of the project. Bonds for federal projects may be issued for a period not exceeding sixty years. An authority shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it but no such refunding bonds shall mature later than the expiration of the maximum period permitted by this subdivision at the time of the issuance of the bonds to be refunded for the project for which such bonds were issued. Such period shall be construed to commence from the date of issuance of the bonds to be refunded.

2. An authority is authorized to issue, whenever it may deem it necessary so to do, notes in conformity with applicable provisions of the uniform commercial code without limitation as to the rate or rates of interest in anticipation of the sale of bonds of which a government shall have agreed to purchase at least eighty per centum or which shall have been authorized at the time such notes are issued or in anticipation of a loan which a government shall have agreed to make to the authority. Such notes shall mature within a period not to exceed one year from the date of their issue but may be made subject to the right of earlier payment. The proceeds of the sale of such notes shall be used only for the purposes for which may be used the proceeds of the sale of bonds or of the loan in anticipation of which the notes were issued. Any such notes may be renewed or may be refunded through the sale of similar notes but no such renewal or refunding notes shall be issued after the sale of bonds. Such notes, renewal notes or refunding notes shall, with the interest thereon, if any, be paid from funds made available by a government pursuant to agreement for the purchase of bonds or the making of a loan, or from the proceeds of the sale of the bonds in anticipation of the sale of which the notes were issued or, in the event of the sale of the project with respect to which such notes were issued, from the purchase price paid to the authority by the purchaser of such project. Such notes, renewal notes or refunding notes shall mature within a

period not to exceed one year beyond the maturity date of the last maturing notes outstanding on the date when the authority or, in the case of state projects, the commissioner, makes the determination that the project has been completed and that the project cost has been finally determined, which determination shall be conclusive in any suit, action or proceeding upon such notes, renewal notes or refunding notes. The total amount of such notes or renewals thereof issued and outstanding shall at no time exceed the total amount of bonds of which a government shall have agreed to purchase at least eighty per centum or which shall have been authorized to be issued or the total amount of the loan which a government shall have agreed to make to the authority. The foregoing limitations upon the time of payment of notes shall not at any time apply to notes or other obligations which may be issued by an authority to a government in anticipation of the sale of bonds of which such government shall have agreed to purchase at least eighty per centum or in anticipation of a loan which such government shall have agreed to make to the authority. Except as in this section expressly provided, an authority shall, in addition to its other powers, have the same powers in connection with the issuance and securing the payments of its notes as it has in connection with the issuance and securing payment of its bonds.

2-a. In connection with a federal project, an authority may, notwithstanding anything to the contrary contained in subdivision two of this section, issue notes or renewal or refunding notes in conformity with applicable provisions of the uniform commercial code after the sale of bonds for such project and without regard to the limitations as to time of issuance or payment set forth in such subdivision, provided: (a) the total amount of such notes or renewal or refunding notes issued and outstanding shall at no time exceed the difference between the estimated project cost if issued prior to the date of physical completion of the project or the project cost if issued thereafter and the principal amount of the bonds theretofore issued for such project; and (b) such notes or renewal or refunding notes are secured by an agreement between the authority and the federal government or any agency on instrumentality thereof pursuant to which the authority agrees to borrow from such government or agency or instrumentality thereof, and such

government or agency or instrumentality thereof agrees to lend to the authority at or prior to the maturity of such notes, monies in an amount which (together with any other monies irrevocably committed to the payment of principal of or interest on such notes) will be sufficient to pay the principal of such notes with interest thereon to maturity, which monies under the terms of such agreement are required to be used by the authority for the purpose of paying the principal of and interest on such notes at their maturity. Every note issued in connection with a federal project which is not refunded and any renewals thereof and every refunding note and any renewals thereof shall, with the interest thereon, if any, be paid either from funds made available by the federal government or agency or instrumentality thereof pursuant to an agreement for the purchase of bonds or the making of a loan or the payment of annual contributions, or from the proceeds of the sale of the bonds in anticipation of the sale of which the notes were issued.

3. The authority may issue its interim certificates, or other temporary obligations, in conformity with applicable provisions of the uniform commercial code, to the purchaser of bonds pending the authorization, preparation, execution or delivery of definitive bonds. Such interim certificates, or other temporary obligations, shall be in such form, contain such terms, conditions and provisions, bear such date or dates, and evidence such agreements relating to their discharge or payment or the delivery of definitive bonds as the authority may by resolution determine.

4. Notwithstanding anything to the contrary contained in subdivision two of this section respecting limitations upon the time of payment of notes, renewal notes or refunding notes, such notes may be issued during the period that negotiations for the sale of a project pursuant to the provisions of the public housing law or the private housing finance law are pending, but such notes shall not be renewed or refunded beyond the maturity date of the last maturing notes outstanding on the date of transfer of title to such project by the authority to the purchaser. Negotiations for the sale of a project shall be deemed to be pending if the authority shall have adopted a resolution determining that the negotiations for the sale of such project are pending. If the

negotiations for such sale are thereafter abandoned, such notes, renewal notes or refunding notes shall mature within a period not to exceed one year beyond the maturity date of the last maturing notes outstanding on the date determined by resolution adopted by the authority as the date when negotiations for the sale of the project were abandoned, or within a period not to exceed one year beyond the maturity date of the last maturing notes outstanding on the date when the determination is made pursuant to subdivision two of this section that the project has been completed and that the project cost has been finally determined, whichever period is longer.

§ 42. Provisions of authority bonds. Bonds of an authority shall be authorized by its resolution and may be issued singly or in one or more series, and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, without limitation, be in such denomination or denominations, interchangeable or otherwise, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, with or without authentication, and be subject to such terms of redemption with or without premium, and be secured in such manner, as such resolution may provide. The bonds may be sold by the authority at public or private sale at such price or prices as the authority may determine.

§ 44. Signature on authority bonds. In case any of the members or officers of the authority whose signatures appear on any bonds or coupons shall cease to be such members or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until such delivery.

§ 45. Repurchase of authority bonds. An authority shall have power to purchase any bonds issued by it for the purpose of retirement or investment. An authority shall not purchase such bonds at a price in excess of the face value thereof plus a premium of four per centum. All

bonds purchased for the purpose of retirement shall be cancelled.

§ 46. Suit on authority bonds. In any suit, action or proceeding upon any bond of an authority or the security therefor, any such bond reciting in substance that it has been issued by the authority to aid in financing a project to provide dwelling accommodations for persons of low income pursuant to the procedure required in this chapter shall be conclusively deemed to have been issued for a project of such character and pursuant to such procedure.

§ 47. Bond covenants of an authority. 1. In connection with the issuance of bonds or the incurring of an obligation, and to secure the payment of such bonds or obligations, an authority, in addition to its other powers, may: (a) Pledge, covenant to pledge, or covenant against pledging, all or any part of its rents, fees, revenues, subsidies, grants or contributions to which its right then exists or may thereafter come into existence; covenant against permitting or suffering any lien thereon; it is the intention hereof that any pledge of revenues or other moneys made by the authority shall be valid and binding from the time when the pledge is made, that revenues or other moneys so pledged and thereafter received by an authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act and that the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof;

(b) Mortgage, covenant to mortgage or covenant against mortgaging, all or any part of its property, real or personal, then owned or thereafter acquired; covenant against permitting or suffering any lien thereon;

(c) Covenant with respect to limitations on its right to sell, lease, or otherwise dispose of any project or part thereof;

(d) Covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof; provide for the replacement of lost, destroyed or mutilated bonds;

(e) Covenant as to what other, or additional debts may be incurred by it;

(f) Covenant that the authority warrants the title to the premises;

(g) Covenant as to the rents and fees to be charged, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to the use and disposition to be made thereof;

(h) Covenant as to the use of any or all of its property, real or personal;

(i) Create or authorize the creation of special funds segregating (1) the proceeds of any loans, grants, subsidies or contributions; (2) all the rents, fees and revenues of any project or projects; (3) any moneys held for the payment of the costs of operation and maintenance of projects, or as a reserve for the meeting of contingencies in the operation and maintenance thereof; (4) any moneys held for the payment of the principal of and interest on its bonds or the sums due under its leases or as a reserve for such payments; and (5) any moneys held for any other reserves or contingencies; and covenant as to the use and disposal of the moneys held in such funds;

(j) Redeem the bonds and covenant for their redemption, and provide the terms and conditions thereof;

(k) Covenant against extending the time for the payment of its bonds or interest thereon;

(l) Prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given;

(m) Covenant as to the maintenance of its property, the replacement thereof, the insurance to be carried thereon, and the use and disposition of insurance moneys;

(n) Vest in an obligee, in the event of a default by an authority, the right to cure any such default and to advance any moneys necessary for such purpose, and covenant that the money so advanced be an additional obligation of such authority with such interest, security and priority as may be provided in any resolutions, trust indenture, mortgage, lease or contract;

(o) Covenant and prescribe as to the events of default and terms and conditions upon which any or all of its bonds shall become or may be

declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived;

(p) Covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation;

(q) Covenant to surrender possession of a project or projects or parts thereof upon the happening of an event of default; and vest in an obligee the right, upon such default, without judicial proceedings, to take possession and use, operate, manage, and control such projects or any part thereof, and to collect and receive rents, fees and revenues arising therefrom in the same manner as such authority itself might do, and to dispose of the moneys collected in accordance with the agreement of such obligee with the authority;

(r) Vest in a trustee or trustees the right to enforce any covenant to secure, or pay the bonds, or otherwise relating to such bonds; provide for the powers, duties and limitations of liabilities of such trustee or trustees, and provide the terms and conditions upon which the trustee or trustees, or the holders of bonds, or any proportion of them, may enforce any such covenant;

(s) Vest in a government, in a trustee or in other obligee the right, upon any happening of an event of default, to foreclose through judicial proceedings or through the exercise of a power of sale without judicial proceedings, any mortgage as to all or such part or parts of the property covered thereby as such government, trustee or other obligee shall elect; the institution, prosecution and conclusion of any such foreclosure proceedings or the sale of any such parts of the mortgaged property shall not affect in any manner or to any extent the lien of the mortgage on the parts of the mortgaged property not included in such proceedings or not sold as aforesaid;

(t) Make such other covenants and do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or make them more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein; execute all instruments necessary or convenient in the exercise of the powers herein granted, or in the performance of its covenants or duties, which may contain such covenants and provisions, in addition to those above specified, as the government or any purchaser of the bonds of an authority may require.

2. In case of conflict between this section and article nine of the uniform commercial code, this section shall control.

§ 48. Guaranteed indebtedness of an authority. An authority may contract indebtedness and authorize and issue bonds guaranteed by a municipality as to principal and interest, or only as to the interest.

§ 49. Authority obligations as legal investments and legal security for deposits by public officers. The state, its subdivisions, municipalities, and all other public bodies, and all public officers, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, saving and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest funds belonging to them or within their control in: (a) any bonds, notes and other obligations of an authority when they are (1) secured by a pledge of the revenues of a project, and additionally secured by a pledge of periodic subsidies or of annual contributions to be paid to an authority by a government, or (2) secured by a first mortgage lien not exceeding sixty-six and two-thirds per centum of the value of the property covered thereby, or (3) secured by an agreement between the authority and a government pursuant to which the authority agrees to borrow from the government, and the government agrees to lend to the authority prior to the maturity of such bonds, notes or other obligations of the authority, monies in an amount which (together with any other monies irrevocably committed to the payment of principal of or interest on such bonds, notes or other obligations) will be sufficient to pay the principal of such bonds, notes or other obligations with interest thereon to maturity, which monies under the terms of such agreement are required to be used by the authority for the purpose of paying the principal of and interest on such bonds, notes or other obligations at their maturity, or (4) guaranteed by a municipality as to principal and interest; (b) any notes issued pursuant to and in conformity with the provisions of

subdivision two of section forty-one of this chapter under a contract with the state containing a covenant for the payment of periodic subsidies as provided in subdivision (b) of section seventy-six-a of this chapter; or (c) any bonds, notes and other obligations issued by any public housing authority or agency in the United States or in the commonwealth of Puerto Rico when such bonds, notes or other obligations are secured by a pledge of the revenues of the housing project or projects for which the bonds, notes or other obligations are issued, and additionally secured by a pledge of annual contributions to be paid by the United States government or any agency thereof. Such bonds, notes and other obligations issued by an authority pursuant to this chapter are also hereby made securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities, governments, and public corporations of this state, for any purpose for which the deposit of bonds or other obligations of this state is now or may be hereafter authorized or required.

§ 50. Foreclosure and other remedies against an authority. 1. In an action or proceeding to foreclose a mortgage on property of an authority, the authority and the municipality, in addition to all other necessary parties, shall be made parties defendant and shall take such steps in said action as may be necessary to protect the public interest therein and no costs shall be awarded against them. Wherever under the instrument creating a lien a notice of default in writing is required to be served upon an authority before the institution of a foreclosure action or proceeding, a copy of such notice shall be served upon the municipality at least five days before the institution of such proceedings. At such a sale of the property of the authority pursuant to foreclosure or other proceedings, the municipality may purchase the property affected; or, it may, prior to the institution of a foreclosure action or proceeding, or during such action or proceeding, make such payment or take such other steps as may be necessary to cure any defaults that may have occurred and such steps as may be necessary to protect the property of an authority and the public interest.

2. In addition to any other rights and remedies, but subject to such

limitations as may be made by contract, any obligee, lessor or mortgagee, or any trustee or agent designated in the bonds of an authority or under a resolution, mortgage or indenture executed by an authority as security for its bonds may:

(a) by mandamus or other suit, action or proceeding at law or in equity compel the authority to perform each and every term, provision and covenant contained in any agreement of the authority with an obligee, trustee, mortgagee or lessor and require the performance of any or all such covenants and agreements of the authority and of the duties imposed upon the authority by this article;

(b) by action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of such obligee, trustee, mortgagee or lessor;

(c) by suit, action or proceeding in any court of competent jurisdiction compel possession of any project or any part thereof to be surrendered to such obligee, trustee, mortgagee, agent or lessor having the right to such possession under any agreement with the authority;

(d) by suit, action or proceeding in any court of competent jurisdiction obtain the appointment of a receiver of any project of the authority or any part thereof and of the rents and profits therefrom. If such receiver be appointed, he may enter and take possession of such project or any part or parts thereof and operate and maintain the same, and collect and receive all fees, rents, revenues, or other charges thereafter arising therefrom in the same manner as the authority itself might do, and shall keep such moneys in a separate account or accounts and apply the same in accordance with the obligations of the authority as the court shall direct;

(e) by action or suit in equity require an authority to account as if it were the trustee of an express trust.

§ 51. Liability of state or municipality. 1. The bonds or other obligations of an authority shall not be a debt of the state or the municipality and neither the state nor the municipality shall be liable thereon nor shall an authority have power in any way to pledge the credit of the state or the municipality, nor shall the transfer from the authority to the municipality or the vesting in the municipality of

property theretofore belonging to an authority impose upon the municipality any obligations except such as it may expressly assume. The foregoing provisions shall not apply in the event of a guaranty by a municipality of the bonds or obligations of an authority.

2. Notwithstanding the provisions of the foregoing paragraph, a municipality shall be liable for the repayment of any loans and interest thereon made by the state to an authority, acting as an instrumentality of such municipality.

§ 52. Tax exemptions of an authority. 1. An authority shall be exempt from the payment of (a) any taxes or fees to the state or any subdivision thereof and (b) any fees to any officer or employee of the state or of any subdivision thereof, except where it is provided by or pursuant to law that such officer or employee is personally entitled to such fees as compensation for services rendered or performed by him in his official capacity.

2. Bonds, mortgages, notes and other obligations of an authority are declared to be issued for a public purpose and to be public instrumentalities and together with interest thereon, shall be exempt from tax.

2-a. The state of New York hereby consents to the inclusion, under the United States internal revenue code of nineteen hundred fifty-four or any subsequent internal revenue law of the United States of the interest payable on bonds, mortgages, notes or other obligations of an authority which are hereafter issued and secured (1) by a mortgage which is insured under section two hundred twenty-one (d) (3) of the national housing act (or any successor section under said act or any subsequent housing act) by an authority as mortgagor in connection with the financing of a project assisted under section eight of the United States housing act of nineteen hundred thirty-seven, or (2) by a pledge of housing assistance payments made or to be made under a contract or contracts between an authority and the United States or any agency or instrumentality thereof, in the gross income of the person who receives

or is entitled to receive such interest to the same extent and in the same manner that the interest on bills, notes, bonds or other obligations of the United States issued subsequent to the effective date of section four of the public debt act of nineteen hundred forty-one is includible in the gross income of the holder or holders thereof under said internal revenue code or any subsequent internal revenue law of the United States and, notwithstanding any provisions to the contrary contained in this chapter or in any general, special or local law, an authority is authorized and empowered to issue such bonds, mortgages, notes or other obligations and shall include therein such reference to or summary of this subdivision as it shall deem proper. The consent hereby given by the state of New York shall not be construed to consent to the application of any other provision of any other law, federal or state, to an authority or to the elimination or modification in any way of any other exemption, privilege, or immunity thereof.

3. Except as to state projects, the property of an authority shall be exempt from all local and municipal taxes. A federal or municipal project consisting of land and one or more multiple dwellings leased by an authority for a term of not less than ten years shall be exempt from such taxes during the period of such lease. A municipality may (a) fix a sum which shall be paid to it annually by the authority in respect of each project; or (b) agree that the authority shall not pay or be liable to pay any sum whatsoever in respect of a project or projects for any year or years; or (c) agree with an authority or government upon the sum to be paid by the authority for any year or years in respect of a project or projects, or accept or agree to accept a fixed sum or other consideration in lieu of such payment; provided, however, that the sum fixed, or agreed to be paid by the authority, for any year shall in no case exceed the sum last levied as an annual tax upon the property included in such project prior to the time of its acquisition by the authority; and provided, further, that the sum fixed, or agreed to be paid by the authority, for any year with respect to a federal project shall in no case exceed the sum last levied as an annual tax upon the property included in such project prior to the time of its acquisition by the authority or such greater amount as the federal government may permit.

3-a. With respect to a federal project located within a school district, an authority may make payments to such district, and the authority and the district may enter into agreements with respect to such payments. Such payments shall not exceed the amounts permitted for such purposes by the federal government. The power granted by this subdivision shall be in addition to any other power granted in this section or any other provision of law.

4. (a) So much of the value of the property included in a state project as represents an increase over the assessed valuation of the real property, both land and improvements, on the date of the contract for a state loan, or, in the absence of a contract for a state loan, then on the date of the contract for a state subsidy, shall be exempt from any and all state, county, city, village, town, school and special district taxes, except that the assessed valuation may be increased or decreased to reflect a change in the level of assessment as certified pursuant to title two of article twelve of the real property tax law. In no event may any assessing unit assess the property included in a project at an amount in excess of the actual cost of the project.

(b) In any assessing unit in which there has been a change in level of assessment as provided in title two of article twelve of the real property tax law, the commissioner of taxation and finance shall certify the change in level of assessment factor in the manner provided in title two of article twelve of the real property tax law. The term "assessing unit" as used in this subdivision means a city, town, village or county having a county department of assessment with the power to assess real property.

5. The tax exemptions specified in subdivisions three and four of this section shall not operate for a period of more than fifty years, commencing in each instance from the date on which the benefits of such exemption first become available and effective, except that in the case of a federal project the tax exemption may operate for a period not to exceed sixty years, and except that in the case of a project, or part thereof, leased from a housing company or in the case of a federal or municipal project consisting of land and one or more multiple dwellings

leased by an authority for not less than ten years the tax exemption may operate for a period not exceeding the term of such lease.

6. Upon the completion of the sixty-year period provided in subdivision five of this section applicable to federal projects, each authority that was eligible for the tax exemption specified in subdivisions three and four of this section shall be exempt from all local and municipal taxes imposed by state and local governments for sixty years after the expiration of the initial exemption period. Upon the completion of the fifty-year period provided in subdivision five of this section applicable to state and municipal projects, each authority that received the tax exemption specified in subdivision three or four of this section may, on the expiration of the tax exemption period, be granted an additional tax exemption period of up to fifty years. A municipality may (a) fix a sum which shall be paid to it annually by the authority in respect of each project; or (b) agree that the authority shall not pay or be liable to pay any sum whatsoever in respect of a project or projects for any year or years; or (c) agree with an authority or government upon the sum to be paid by the authority for any year or years in respect of a project or projects, or accept or agree to accept a fixed sum or other consideration in lieu of such payment; provided, however, that the sum fixed, or agreed to be paid by the authority, for any year shall in no case exceed the sum last levied as an annual tax upon the property included in such project prior to the time of its acquisition by the authority or, in the case of a federal project, such greater amount as the federal government may permit.

With respect to a federal project located within a school district, an authority may make payments to such district, and the authority and the district may enter into agreements with respect to such payments. Such payments shall not exceed the amounts permitted for such purposes by the federal government. The power granted by this subdivision shall be in addition to any other power granted in this section or any other provision of law.

§ 53. Depositories of authority funds. In order to protect funds

deposited by an authority all banks, bankers, trust companies or other persons carrying on a banking business, organized under the laws of the state, are authorized to give to the authority an undertaking with such sureties as shall be approved by the authority, faithfully to keep and pay over upon the order of the authority any such deposits and agreed interest thereon, or in lieu of said sureties, to deposit as collateral such securities and in such amounts as may be agreed upon with the authority pursuant to a collateral deposit agreement in form and terms satisfactory to the authority. The collateral to be deposited shall consist of securities in which savings banks may legally invest funds within their control.

§ 54. Filing by authority of by-laws, rules and regulations. 1. An authority shall file with the commissioner a copy of any by-laws, rules and regulations and amendments thereto adopted by it from time to time, which shall become effective upon approval by the commissioner; provided, however, that if the commissioner shall fail to approve or disapprove such proposed by-laws, rules and regulations and amendments within three months after such filing, such by-laws, rules and regulations and amendments shall become effective upon the expiration of such three-month period.

2. All rules and regulations, and amendments thereto, adopted by an authority from time to time, except such as relate to its organization or internal management, shall be filed in the office of the department of state.

§ 55. Projects undertaken by municipalities. Any municipality may undertake one or more projects, and for that purpose, any such municipality is hereby given the rights, powers and privileges and shall be subject to the duties and obligations granted to or imposed upon authorities with respect to projects by the provisions of this chapter. The municipality, however, shall be subject to the provisions of the local finance law, except as otherwise provided in section 20.00 of such law.

§ 55-a. Facilities incidental or appurtenant to a project.

In addition to any other lawful method for the provision by an authority of facilities incidental or appurtenant to a project, a municipality may in connection with any project of an authority, upon approval by the local legislative body, contract with an authority for the preparation of plans and construction by the authority for the municipality, as part of a combined occupancy structure, of a social, recreational, health, educational, or other non-housing facility or facilities deemed by the municipality and the authority to be incidental or appurtenant to such project, including material and equipment customarily provided in connection with such facility and required for the operation thereof, and for the conveyance, grant or surrender in fee of its interest in the facility or facilities by the authority to the municipality upon reimbursement of the authority by the municipality for all costs incurred by the authority for development of the facility during construction or upon conveyance thereof. The authority and the municipality may provide for, grant and reserve such easements, space rights and air rights as they may deem necessary to effectuate the project and complete the facility. The cost of any such non-housing facility or facilities to be built by the authority for the municipality, which cost is to be reimbursed by the municipality to the authority, shall not be included in project cost for the purpose of determining the amount of periodic subsidies, if any, to be paid by the state for the project pursuant to section seventy-three of this chapter. Notwithstanding the provisions of any other general, special or local law to the contrary, such contract may provide that the authority shall have sole charge and control over the plans and specifications for and the construction and supervision during construction of such facility or facilities; provided that the plans and specifications for and the construction of the project and the non-housing facility or facilities shall be subject to approval of the agency or agencies of the state and municipality having jurisdiction thereof as provided by law. The authority shall in constructing such facility or facilities comply with the requirements of this chapter. As used in this section "combined

occupancy structure" shall mean any improvement on real property including fee interests, easements, space rights or air rights, containing a non-housing facility or facilities in combination with the residential portion of a project and intended to increase from both a planning and economic viewpoint the effective utilization of available land areas. A combined occupancy structure shall also include a structure in a project or development under the auspices of the authority wherein housing portions of structures placed upon the overall site are not built in space rights over the non-housing portion, so long as some part of the housing portion is constructed over the non-housing portion. The foregoing authorization shall be in addition to any existing powers of an authority or municipality under this chapter, and is not intended to nor shall it impair any existing powers of an authority pursuant to this chapter to provide non-housing facilities deemed incidental or appurtenant to a project, and to operate such facilities or lease the same to a municipality or agency thereof, public or non-profit body, or other person or corporation, for such operation or use.

§ 56. Authorities created prior to the enactment of this chapter. Any authority created prior to the enactment of this chapter pursuant to the provisions of the municipal housing authorities law shall continue, as now constituted, in existence as an authority under the provisions of this chapter.

§ 57. Dissolution of authorities. An authority or the municipality may apply to the supreme court in any county in which the municipality or any part thereof is located, for an order dissolving the authority. The court thereupon shall hold a hearing in open court after such notice of hearing as the court may require. Upon a showing to the satisfaction of the court that provision has been made for the payment or satisfaction of all of the outstanding obligations of the authority and for the necessary expenses for the liquidation thereof, the court may order that the authority be dissolved. Upon such dissolution the property of the authority shall be and become the property of the

municipality.

§ 58. Sale or lease of municipal projects by authorities. 1. An authority, subject to the approval of the local legislative body of the municipality in which such authority has territorial jurisdiction, may sell or lease any municipal project of such authority to any corporation created pursuant to article two of the private housing finance law on a co-operative basis, and an authority may enter into a contract for the sale of or sell or lease a municipal project to such a corporation either prior to, at the date of, or subsequent to the physical completion of such project and, in the event of a sale or lease of any such project prior to the physical completion thereof, the authority may agree to complete and may complete construction and development of such project. No such corporation to which such a municipal project is sold or leased as provided in this section shall pay a dividend on any of its stock or pay interest on any of its income debentures.

2. Any sale or lease of a municipal project by an authority pursuant to subdivision one of this section may be made without public bidding, public sale or public offering pursuant to such negotiated contract, agreement or lease, containing such provisions, limitations, requirements, terms and conditions, as the authority selling or leasing such project, in its discretion, may determine to be necessary or desirable; provided, that, in the event of a sale of a municipal project, the purchase price to be paid to the authority on or prior to date of transfer of title to such project by the authority, or upon the physical completion of such project, shall not be less than the amount required by the authority to pay and retire, or to make provision for the payment and retirement of, all bonds, notes and other obligations issued by the authority to finance the project cost, and to pay or make provision for the payment of all obligations incurred or to be incurred by the authority as part of the project cost.

3. Notwithstanding the provisions of section thirty-three of article two of the private housing finance law, the real property in a municipal project sold or leased as provided in subdivision one of this section,

when the transfer thereunder becomes effective, shall be exempt from local and municipal taxes, other than assessments for local improvements, to such extent as may be granted by the local legislative body of any municipality in which such project is located; provided, however, that any corporation to which such project is so sold or leased shall pay to each municipality in which a project is located, with respect to each such project, local and municipal taxes in amounts not less than the sum or sums contracted to be paid by the authority as a payment in lieu of taxes with respect to such project and which the authority would be obligated to pay to the municipality had it not sold or leased the project to such a corporation. The tax exemption shall operate and continue so long as capital loans of the corporation to which such project shall have been sold or leased are outstanding, but in no event shall such exemption for a municipal project located outside a city of one million or more persons continue for a period of more than thirty years, commencing in each instance from the date on which the benefits of such exemption became available to and effective for such corporation.

Notes, bonds, mortgages and other obligations of such a corporation are declared to be issued for a public purpose and to be public instrumentalities and, together with interest thereon, shall be exempt from tax.

4. The provisions of section thirteen of article two of the private housing finance law requiring the approval by the commissioner of housing of the persons incorporating a limited-profit housing company and the provisions of section fourteen of article two of the private housing finance law requiring the consent of the commissioner of housing to the filing of the certificate of incorporation of such a company in the office of the secretary of state and the amendment thereof shall not apply to a corporation created pursuant to article two of the private housing finance law on a cooperative basis for the purchase or lease of a municipal project pursuant to this section; nor shall any of the provisions of article two of the private housing finance law conferring upon the commissioner of housing any powers in respect of limited-profit housing companies apply to such a corporation. The application of this

subdivision shall be limited to corporations undertaking a project with the aid of a municipal loan under article two of the private housing finance law.

5. Any project that received a tax exemption under this section may, upon the expiration of the tax exemption period, be granted an additional tax exemption period of up to fifty years, or until such time as the project is no longer operated under the restrictions and for the purposes set forth in this article, whichever is sooner.

§ 58-a. Sale of dwelling units by authorities. 1. Subject to the approval of the commissioner in the case of a state project, the federal government in the case of a federal project or in the case of dwelling units leased by an authority pursuant to the provisions of section twenty-three of the United States housing act of nineteen hundred thirty-seven, as amended, and thereafter purchased by the authority, and the local legislative body in the case of a municipal project, an authority may sell a dwelling unit which is suitable by reason of its detached or semi-detached construction to the tenant in occupancy thereof, provided that such tenant is a family of low income whose annual income is within the income limits for admission to limited-profit housing in the municipality under article two of the private housing finance law.

2. Any sale by an authority pursuant to paragraph one of this section may be made pursuant to such negotiated contract, agreement or lease, containing such provisions, limitations, requirements, terms and conditions as the authority in its discretion may determine to be necessary or desirable, including a covenant by the purchaser that before offering such dwelling unit for sale within a period of time to be specified in such covenant the purchaser shall first offer the dwelling unit to the authority at a price not greater than the purchase price paid therefor by the purchaser; provided that the purchase price to be paid to the authority shall not be less than the amount required by the authority to pay or make provision for the payment of all outstanding obligations of the authority with respect to such dwelling

unit, as determined by the authority.

§ 58-b. Sale or lease of project in connection with federal program of assistance for low income housing. In order to obtain for a project or portion thereof the benefits of any federal program of assistance for housing of persons and families of low income, an authority, other than an authority in a city with a population of more than one million, may, subject to the approval of the commissioner and the local legislative body, contract to sell or lease, and sell or lease, the project or portion thereof upon such terms and conditions as it deems appropriate. The commissioner shall not approve the transaction unless he makes a finding that: (a) the federal assistance available upon the sale or lease will enable the project to provide decent, safe and sanitary housing within the financial reach of persons and families of low income; and (b) sufficient provision has been made to pay or otherwise assure the payment or retirement of all bonds, notes and other obligations issued to finance the project or portion thereof. In connection with such transaction, the authority, the municipality, the commissioner, the attorney general, and the comptroller, may take all necessary and appropriate actions, including the modification or termination of any applicable loan and subsidy agreement. The power granted by this section shall be in addition to any other power granted to an authority by any other provision of this chapter or any other law.

§ 59. Disposal of records. 1. Notwithstanding the provisions of any general, special or local law, any municipal housing authority or officer or employee thereof is hereby empowered to destroy, sell or otherwise dispose of any book, paper, map, photograph, microphotograph or other record regardless of its physical form or characteristic, which has been made, acquired, or received or is now in its custody and which the authority determines no longer has sufficient administrative, legal, fiscal, research or historical value to warrant its continued retention and preservation, provided the authority authorizes such destruction, sale, or other disposition.

2. The provisions of this section shall not apply to the following records of municipal housing authorities unless copies for retention are reproduced as provided in section sixty of this chapter:

(a) The official copy of the minutes of any municipal housing authority including appendices and attachments thereto.

(b) The official copy of any annual report of any municipal housing authority to the commissioner.

(c) Records which have not been retained for such period of time as may be required:

(1) by the federal government or any of its agencies;

(2) by rules and regulations of the state comptroller;

(3) by rules and regulations of the commissioner.

§ 60. Reproduction of records. Any municipal housing authority may cause any paper, document or other record kept or recorded by it to be recorded, copied or reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic or other process which accurately reproduces or forms a durable medium for so reproducing the original. Such reproduction, when satisfactorily identified, shall be deemed to be an original for all purposes and is as admissible in evidence as the original itself in any judicial or administrative proceeding, and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of the court.

§ 61. Tenant meetings in common areas. Any group, committee, or other organization comprised of tenants residing in housing authority developments conducting a meeting authorized pursuant to section two hundred thirty of the real property law shall have the right to meet without being required to pay a fee in any area owned by such authority which is devoted to the common use of all tenants. Such areas shall include but not be limited to a community or social room where use is normally subject to a fee, provided, however, that such meeting is conducted in a peaceful manner, at reasonable hours and without obstructing access to the premises or facilities. Five days' prior

written notice of such a meeting must be given to the management office of the project development. If such common area is unavailable on the requested day, the management office must provide the group, committee or other organization comprised of tenants with any times that the common area will be available during a fourteen-day period commencing on the fifth day after written notice was given to the management office.

ARTICLE IV

STATE AID

Section 70. State loans.

- 71. Conditions precedent to state loans.
- 72. Terms and security for state loans.
- 73. State subsidies.
- 74. Restrictions on additional subsidies.
- 75. Restriction on use of state aid.
- 76. Pledge of subsidy.
- 76-a. Private financing.

§ 70. State loans. The commissioner may, in the name of the state, enter into contracts for loans to an authority or a municipality for one or more projects, though a project has received or will receive aid from any other source, except the federal government. All such contracts shall be subject to approval by the state comptroller, and by the attorney-general as to form. Any such loan shall be in such amount as the commissioner, in his discretion, may deem necessary to insure the completion, availability for lawful occupancy and use of the project. No loan shall be made in an amount greater than the project cost, plus working capital in an amount not to exceed two per centum of the project cost or one hundred thousand dollars, whichever is less, nor until the municipal comptroller and local legislative body have attached their separate approvals to the loan contract. The commissioner may make temporary loans or advances to a housing authority in anticipation of such loan and no such temporary loan or advance shall be deemed to constitute part of such loan unless such temporary loan or advance has been made out of the proceeds of definitive housing bonds sold by the

state pursuant to section sixty of the state finance law.

§ 71. Conditions precedent to state loans. 1. No loan shall be made unless the commissioner finds that: (a) the project is in conformity with a plan or undertaking for the clearance, replanning, reconstruction or rehabilitation of a substandard and insanitary area or areas and for recreational and other facilities incidental or appurtenant thereto;

(b) The municipality in which such project is to be located has enacted or will enact zoning regulations, or other restrictions adequately protecting the area or areas in which the project is to be undertaken, against future uses likely to depreciate unduly the value of such project;

(c) The estimated revenues, including any governmental grants, of the project or part for which such loan is to be made will be sufficient to cover all probable costs of operation and maintenance, of fixed charges and operating and depreciation reserves;

(d) The plans and specifications conform or will conform to the requirements of this and all other laws applicable thereto, assuring adequate light, air, sanitation and fire protection;

(e) Adequate open spaces for recreation are provided within the project or provision therefor has been made conveniently near the project; stating the manner in which such spaces are provided or are proposed to be within the project or near thereto;

(f) Adequate school facilities are near the project or provision therefor has been made, listing such facilities;

(g) The occupants of the proposed housing accommodations will have convenient access to probable places of employment;

(h) That an adequate number of dwelling units especially designed for the convenience and safety of aged persons as may be defined by the commissioner shall be provided where a survey of the community in which the project is located indicates a need therefor, and that provision will be made to insure that such aged persons shall have priority in the rental thereof. Where all, or substantially all of the dwelling units in a project have been especially designed for the convenience and safety of aged persons, the finding required under paragraph (f) of this subdivision need not be made.

(i) an adequate number of dwelling units especially designed for the convenience and safety of handicapped persons as may be defined by the commissioner shall be provided where a survey of the community in which the project is located indicates a need therefor, that provision will be made to insure that such handicapped persons shall have priority in the rental thereof, and that a project is designed to facilitate unobstructed ingress to and egress from a project.

2. Such findings shall be conclusive evidence of the facts therein contained except upon proof of fraud or wilful misfeasance by the commissioner.

§ 72. Terms and security for state loans. 1. Loans shall be made at the rate of interest paid or to be paid by the state for the funds loaned to the authority or municipality, plus a proportionate share of the actual direct cost of the borrowing as certified by the state comptroller. Such loan shall be repaid in equal annual installments over or within a period of fifty years, but in no case to exceed the probable life of the buildings and improvements of the project or part thereof to which the proceeds thereof are to be applied. The probable life of the buildings and improvements of such projects is hereby determined to be fifty years. Each installment shall equal the amount payable by the state for moneys borrowed for the loan and shall be paid not later than five days before each such payment by the state is required.

2. The loan contract shall provide that upon any date when an installment of principal shall become due and payable the authority may anticipate any installment which would otherwise thereafter become due and payable. In the case of loans to municipalities, the loan contract may contain such a provision.

3. Should the authority or municipality fail to make payment of interest or principal upon any due date, the state comptroller may deduct and retain from any moneys otherwise payable by the state to such authority or municipality, the amount of such interest and principal and credit such authority or municipality with the amount of such deduction.

§ 73. State subsidies. The commissioner may in the name of the state enter into contracts to make periodic subsidies (1) to an authority or a municipality for one or more projects to assist in achieving and maintaining the low rent character of a project, or, (2) to a municipality to assist in the clearance, replanning, reconstruction and rehabilitation of substandard and insanitary areas pursuant to and in accordance with the provisions of this chapter, the general municipal law and any other laws authorizing municipalities to establish and carry out a federal program of urban renewal with federal aid, payable in either case only with moneys appropriated therefor from the general fund of the state, provided, however, (a) that no contracts for periodic subsidies shall be entered into in any one year requiring payments for both such purposes aggregating more than two million eight hundred sixty thousand dollars in any one year, of which amount not more than two million five hundred thousand dollars shall be with respect to contracts for payments to assist in achieving and maintaining the low rent character of projects; (b) that there shall not be outstanding at any one time contracts for periodic subsidies requiring payments exceeding an aggregate of forty-four million dollars in any one year, of which amount not more than forty-two million fifty thousand dollars shall be with respect to contracts for payments to assist in achieving and maintaining the low rent character of the projects. All such contracts shall be subject to approval by the state comptroller, and by the attorney general as to form.

The periodic subsidy for any project shall be payable on an annual basis, in amounts which need not be uniform, over a fixed period of years not exceeding the life of the project assisted by such subsidy and in any event for not more than fifty years. Portions of the periodic subsidy payable for any one year may be paid from time to time as required. The period of years during which the periodic subsidy shall be payable shall commence on the date of substantial completion of the project, as determined by the commissioner. The maximum subsidy payable in any one year on any one project shall not exceed a sum equal to the largest annual interest charge on funds borrowed from the state to

finance such project plus one per centum of the project cost not including, however, funds borrowed from the state for working capital.

Where all or any part of the funds necessary to finance the project are borrowed from sources other than the state or federal government the periodic subsidy may equal but shall not exceed the largest annual interest charge on all borrowed funds plus one per centum of the project cost. The periodic subsidies shall be further limited to amounts and periods necessary in the determination of the commissioner to assure the low-rent character of the project involved.

The contract of the commissioner providing for such periodic subsidies shall guarantee their payment over such fixed period of years. The faith of the state is pledged to the payment of all periodic subsidies contracted for by the commissioner. Such periodic subsidies shall be paid upon the audit and warrant of the state comptroller upon vouchers approved by the commissioner.

No state subsidy shall be made available for any project unless and until: (a) the municipality in which such project is situated shall contract or have contracted to make subsidies to such project in an amount at least equal to the subsidy contracted to be made by the state, all or any part of which municipal subsidy may be in the form of exemption of the project from county, city, village, town, school and special district taxes to the extent specified in subdivision four of section fifty-two of this chapter; (b) the findings required by section seventy-one of this chapter have been made by the commissioner. Such findings shall be conclusive evidence of the facts therein contained except upon proof of fraud or willful misfeasance by the commissioner. For the purpose of determining the amount of subsidy to be paid by a municipality in any year pursuant to clause (a) of this paragraph, a project shall be deemed to have been granted tax exemption for that year for so much of the actual incurred development cost of the project at the close of the period for which state subsidy is payable as represents an increase over the assessed valuation of the real property, both land and improvements, included in the project on the date of the contract for a state subsidy, notwithstanding the fact that at the close of such

period tax assessments or assessment-rolls reflecting the actual value of the project have not as yet been prepared, entered, or completed, nor that the due date for the payment of the taxes has not as yet occurred, and provided further that whenever there has been a change in the overall level of assessment and the commissioner of taxation and finance has certified a percentage change in the level of assessment pursuant to the provisions of subdivision four of section fifty-two of this chapter, the value of the tax exemption shall be computed by multiplying the tax rate which is to be applied to the assessed value deemed to be tax exempt under this paragraph by the percentage change in the level of assessment plus one hundred percent.

§ 74. Restrictions on additional subsidies. No subsidy, in addition to any periodic subsidy originally contracted for in aid of any project or projects, shall be paid by the state to a municipality or authority, acting as an instrumentality thereof, for the purpose of enabling such municipality or authority to remedy an actual default or avoid an impending default in the payment of principal or interest on any loan which has been theretofore made by the state to such municipality or authority pursuant to this chapter.

§ 75. Restriction on use of state aid. No state moneys allocated to an authority or a municipality hereunder shall be mingled or commingled with financial aid or assistance from the federal government or any agency thereof, except with the approval of the commissioner.

§ 76. Pledge of subsidy. Payments under any contracts for periodic subsidies by the state may be pledged by an authority as security for loans obtained from any source for the project to which such periodic subsidies relate.

§ 76-a. Private financing. To facilitate the enlistment of private capital through the sale by authorities or municipalities of their bonds

and other obligations to persons, firms or corporations other than governments, in financing state projects, and to maintain the low-rent character of such projects---

(a) Every contract entered into by the state with an authority and a municipality, or solely with a municipality, to make loans or periodic subsidies or both (including contracts which amend or supersede contracts previously made, provided that such amending or superseding contracts do not relate to state projects with respect to which definitive housing bonds of the state have been sold pursuant to section sixty of the state finance law, and do not relate to state projects with respect to which serial bonds of a municipality have been sold pursuant to sections ten and eleven of the local finance law) may provide that---

(1) upon the occurrence of a substantial default in respect to the covenants or conditions to which the authority or municipality is subject (as such substantial default shall be defined in such contract), the authority or municipality shall be obligated at the option of the commissioner, either to convey title to the state in any case where, in the determination of the commissioner (which determination shall be final and conclusive), such conveyance of title to the state is necessary to achieve the purposes of this chapter, or to deliver possession to the state of the project, as then constituted, to which such contract relates;

(2) the state shall be obligated to reconvey or to redeliver possession of the project, as constituted at the time of reconveyance or redelivery, to such authority or municipality upon such terms as shall be prescribed in such contract and as soon as practicable: (i) after the commissioner shall be satisfied that all defaults with respect to the project have been cured, and that the project will, in order to fulfill the purposes of this chapter, thereafter be operated in accordance with the terms of such contract; or (ii) after the termination of the obligation to make periodic subsidies available unless there are any obligations or covenants of the authority or municipality which are then in default. Any prior conveyances and reconveyances, deliveries and redeliveries of possession shall not exhaust the right to require a conveyance or delivery of possession of the project to the state pursuant to sub-paragraph (1) of subdivision (a), upon the subsequent occurrence of a substantial default.

(b) Whenever such contract to make loans or periodic subsidies or both shall include provisions which the commissioner, in said contract, determines are in accordance with the provisions authorized by subdivision (a) hereof, and the periodic subsidies, pursuant to such contract, have been pledged by the authority or the municipality as security for the payment of the principal and interest on the obligations of the authority or municipality, the commissioner (notwithstanding any other provisions of this chapter) shall continue to make periodic subsidies available for the project so long as any of such obligations remain outstanding. Acquisition of title to a project by the state, or delivery of possession thereof to the state, as provided in subdivision (a) hereof, shall not constitute an assumption of liability by the state of the bonds or notes of the authority or municipality for which the periodic subsidies or loans have been pledged. The commissioner may covenant in such contract (in lieu of retaining the right to reduce or terminate periodic subsidies under section eighteen of this chapter and notwithstanding any other provisions of law) that in any event such periodic subsidies shall in each year be at least equal to an amount which, together with such income or other funds as are actually available from the project for the purpose at the time such periodic subsidy is made, will suffice for the payment of all installments, falling due within the said year, of principal and interest on the obligations for which the periodic subsidies provided for in the contract shall have been pledged as security; provided that such periodic subsidies shall not exceed the amounts and shall not be made for a period longer than the amounts and period specified in section seventy-three of this chapter and provided further that such periodic subsidies shall not exceed the amounts and shall not be made for a period longer than the amounts and period specified in the contract.

(c) Obligations of an authority or municipality which (1) are secured either (A) by a pledge of a state loan under an agreement between such authority or municipality and the state, or (B) by a pledge of periodic subsidies to be made by the state and (2) bear, or are accompanied by, a certificate of the commissioner that such obligations are so secured, shall be incontestable in the hands of a bearer. The full faith of the state is pledged to the payment of all loans and periodic subsidies

contracted for by the commissioner as security for such obligations.

ARTICLE V
MUNICIPAL AID

- Section 92. Real estate tax for debt service.
- 93. Authorization to make loans.
 - 94. Authorization to make subsidies.
 - 95. Authorization to guarantee.
 - 96. Administrative expenses of authority.
 - 97. Procedure for municipal aid.
 - 98. Conditions in contracts for municipal aid.
 - 99. Municipal services.
 - 100. Jurisdiction and powers of municipality unimpaired.
 - 101.
 - 102. Authorization to make subsidies for the aid, care and support of the needy.

§ 92. Real estate tax for debt service. If a city issues its obligations for any project or to raise funds to loan in aid of a project, such city may levy an ad valorem tax on real estate to the extent that revenues derived in any year from taxes levied pursuant to this chapter, together with revenues from the project or projects aided by the proceeds of any such obligations shall become insufficient to provide fully for the payment of principal and interest in that year upon obligations issued for either or both purposes.

§ 93. Authorization to make loans. A municipality is authorized to make or contract to make loans to an authority and to any housing company operating within the territorial limits of such municipality. Loans to housing companies shall not be greater in amount than seventy-five per centum of the project cost.

§ 94. Authorization to make subsidies. A municipality is authorized to

make or contract to make capital or periodic subsidies to an authority operating within the territorial limits of such municipality, payable only with moneys locally appropriated therefor from the general or other funds available for current expenses of such municipality. Periodic subsidies shall not be contracted for a period longer than the life of the project assisted thereby, and in no event for more than fifty years. If the amount of any periodic subsidy shall be equal to or greater than the interest on and the amounts required annually for the payment of the indebtedness contracted by the authority on account of a project in any year, such contract shall constitute a guarantee of the principal of and the interest on such indebtedness, and such contract and the payments thereunder may be pledged by the authority as security in addition to all other security which the authority may give for such indebtedness.

A municipality may levy one or more of the taxes enumerated in section one hundred ten for the purpose of making municipal subsidies. The revenues resulting from the imposition of such tax or taxes, other than the taxes described in subdivision (e) of section one hundred ten of this chapter in a city having a population of one million or more, notwithstanding the provisions of any general, special or local law to the contrary, shall be deposited in the city treasury and credited to a separate account. During each fiscal year of such municipality, an amount not in excess of the amount of the subsidies to be made by such municipality during such fiscal year shall be charged to such account and credited to the general fund for the reduction of taxation or into the general or other fund available for current expenses of such municipality. No other payment shall be charged to such account. The provisions of section one hundred eleven of this chapter shall be applicable to any tax or taxes imposed pursuant to this section.

In a city having a population of one million or more, the revenues from the taxes described in subdivision (e) of section one hundred ten of this chapter shall be deposited in the general fund and a payment of an equal amount shall be made, in the same fiscal year or as soon as practicable thereafter, for the purposes described in such section.

§ 95. Authorization to guarantee. A municipality is authorized to guarantee for a period not exceeding the probable life of a project, the principal of and interest on, or only the interest on, indebtedness contracted by an authority operating within the territorial limits of such municipality in connection with such project.

§ 96. Administrative expenses of authority. Each municipality in which an authority is situated may annually appropriate to such authority the amount required by said authority for its administrative expenses. The amount thereof shall be within the discretion of the local legislative body of such municipality. Such payments may be made out of any fund available for that purpose. No administrative expenses of an authority shall be paid from any state loan or subsidy or from the rental income of any state project.

§ 97. Procedure for municipal aid. Contracts for municipal loans or subsidies to an authority or contracts for loans to a housing company shall be approved in the same manner as is required for approval and final authorization of capital projects or permanent improvements in such municipality. The provisions of this section shall not apply to any project commenced prior to the date of enactment of this chapter.

§ 98. Conditions in contracts for municipal aid. In every contract for a loan by a municipality or for periodic subsidies by a municipality, or both, a substantial breach of the conditions set forth therein providing for the maintenance of the project as low rent housing shall be defined in such terms as the municipality shall deem to be in the public interest and consistent with the provisions and purposes of this chapter. In any such contract the municipality shall retain the right, in the event of such a substantial breach or in the event of acquisition of title to the project by a third party, other than a government authorized to engage in the administration of low rent housing, and approved by the municipality, in any manner including a bona fide foreclosure under a mortgage or other lien held by a third

party, to increase the interest payable thereafter on the unpaid balance of any loan made pursuant to the contract, to a rate not in excess of the going rate of interest (at the time of such breach or acquisition), plus two per centum per annum or to declare any such unpaid balance due forthwith and to reduce or terminate any periodic subsidies payable under the contract.

§ 99. Municipal services. In connection with projects located within its respective territorial boundaries, a municipality, a school district, a fire alarm district, a fire district, a fire protection district, or an improvement district may, upon such terms, with or without consideration, as the local legislative body of such municipality or the governing body of such district may deem advisable, render or contract to render services to an authority, housing company or a government, or provide and maintain parks, sewerage, or other facilities adjacent to or in connection with a project. A municipality or a district hereinabove described may also render or contract to render such services and to provide such facilities in connection with projects located outside its respective territorial boundaries upon such terms and consideration as shall, in the determination of the local legislative body of such municipality or the governing body of such district, which determination shall be conclusive, compensate such municipality or district for the cost of furnishing such services and facilities. A municipality may enter into an agreement with an authority, housing company or a government, upon such terms as it shall determine, with or without compensation, to open, pave, install, close or change the grade of streets, roads, roadways, alleys, sidewalks, or other places, to change the municipal map, to plan, replan, zone or rezone any section of the municipality. In connection with the exercise of this power a municipality may, if it deems advisable, incur the entire expense of any such public improvements located within its territorial boundaries without assessment against abutting property owners, or contract with an authority upon such terms, with or without consideration, as it may deem advisable, with respect to the exercise by the municipality or government of its powers relating to the repair, closing or demolition of unsafe, insanitary, or unfit dwellings, and

with respect to aid and cooperation by the municipality or government in the planning, undertaking, construction or operation of projects.

§ 100. Jurisdiction and powers of municipality unimpaired. Nothing in this chapter shall be construed to prevent or relieve the municipality from furnishing or supplying services or facilities from other than housing funds of a character or nature heretofore or formerly furnished or supplied by the municipality. The municipality may furnish and supply from other than housing funds such services and facilities for the tenants of a project of an authority as it furnishes and supplies to other residents of the municipality.

§ 101. Notwithstanding any local or special law or charter provision, a municipality shall, irrespective of the boundaries of a project, provide for the tenants of such project, police, fire and health protection services of the same character and to the same extent as those provided for other residents of the municipality.

§ 102. Authorization to make subsidies for the aid, care and support of the needy. Notwithstanding the provisions of section ninety-four of this article, a municipality is authorized to make or contract to make capital subsidies for the construction, reconstruction, development and capital improvement of public housing to an authority operating within the territorial limits of such municipality, payable either with moneys locally appropriated therefor from the general fund or other funds available for current expenses of such municipality or from the proceeds of borrowings or other moneys available from the capital fund or other funds available for capital improvements of such municipality.

ARTICLE VI

SPECIAL TAXES IN CITIES AND CERTAIN VILLAGES

Section 110. Special city and village taxes.

111. Review.

112. Disposition of proceeds of taxes.

113. Exemptions.

§ 110. Special city and village taxes. In order to obtain funds with which to make capital or periodic subsidies pursuant to section ninety-four a city or a village having a population of five thousand or more as determined by the last federal census may, and in order to incur indebtedness pursuant to any of the provisions of this chapter, in excess of the limitations prescribed by any article of the constitution, other than article eighteen, a city or such village shall levy one or more of the following taxes:

(a) An excise tax on the sale of tickets of admission to places of public exhibition, amusement or entertainment for which a payment is exacted. Such tax shall not be in excess of the following rates: one cent on each admission charge not in excess of fifty cents per person, exclusive of all other taxes; two cents on each admission charge in excess of fifty cents, but not in excess of one dollar per person; five cents on each admission charge in excess of one dollar, but not in excess of two dollars per person; ten cents on admission charges in excess of two dollars per person.

(b) An excise tax on the possession of each telephone connected with any public telephone exchange now or hereafter installed on the premises of subscribers for telephone service in any place other than a building or space owned or leased by any federal, state or municipal government or public authority. Such tax shall not be in excess of five cents per month for each such telephone and shall be imposed upon the individual, copartnership or corporation occupying the premises in which such telephone is installed. The local law imposing such tax shall provide that the amount of the tax shall be paid by such individual, copartnership or corporation occupying such premises, to the public utility operating such public telephone exchange, for and on account of the municipality and such public utility shall be liable for the collection thereof; such public utility shall have the same right in respect to collecting the tax from the occupant or in respect to non-payment of the tax by the occupant, as if the tax were a part of the service charge for such telephone and payable at the time such tax

becomes due and owing.

(c) An excise tax on occupancy. Such tax may be imposed upon any individual, copartnership or corporation occupying premises in such municipality as the owner, tenant or concessionaire for residence or for any gainful purpose. Such tax shall be in an amount of not more than twelve dollars per year for each separate premises so occupied, the rate of tax to depend upon the size of such premises or upon such other reasonable standard as may be fixed by local law. Such local law may provide that any tax imposed upon a tenant and concessionaire shall be paid by such tenant and concessionaire to the owner for and on account of the municipality and the owner shall be liable for the collection and the payment thereof; and that the owner shall have the same right in respect to collecting the tax from such tenant or concessionaire, or in respect to non-payment of the tax by the tenant or concessionaire, as if the tax were a part of the rent of the premises occupied and such rent were payable at the time such tax shall become due and owing.

For the purposes of this subdivision the word "premises" shall mean any real property, or any part thereof, any kind of space, or structure, except premises, as herein defined, which are located in, upon, above or under any public street, highway or public place, separately occupied by any person for his own use for gainful purpose or by any concessionaire for such use for gainful purpose, whether by ownership, lease, sublease, profit-sharing arrangement or otherwise.

(d) An excise tax on the sale of patent medicines, sold for consumption within the territorial limits of such municipality. Such tax shall not be in excess of ten per centum of the purchase price of such patent medicines. The local law may provide that the amount of the tax shall be paid by the purchaser to the vendor for and on account of the municipality, and the vendor shall be liable for the collection and the payment thereof; and the vendor shall have the same right in respect to collecting the tax from the purchaser or in respect to non-payment of the tax by the purchaser, as if the tax were a part of the purchase price of the patent medicines, and payable at the time of the sale.

(e) (1) An excise tax on the sale of tobacco other than cigarettes sold for consumption within the territorial limits of such municipality. Such tax shall not be in excess of ten per centum of the purchase price

of such tobacco. The local law imposing such tax may provide that the amount of the tax shall be paid by the purchaser to the vendor and for and on account of the municipality, and the vendor shall be liable for the collection and the payment thereof. The vendor shall have the same right in respect to collecting the tax from the purchaser or in respect to non-payment of the tax by the purchaser as if the tax were a part of the purchase price of the tobacco, and payable at the time of the sale.

(2) Any city having a population of one million or more imposing excise taxes on the sale of tobacco other than cigarettes pursuant to paragraph one of this subdivision is hereby authorized to adopt and amend local laws to administer, collect and enforce such taxes, including the issuance of tax warrants in a manner consistent with the issuance of warrants pursuant to chapter thirteen of title eleven of the administrative code of the city of New York. Such enforcement shall include but not be limited to the filing with the county clerk of a copy of such warrants, the entry in the judgment docket of the information specified in section 11-1314 of the administrative code of the city of New York, and the creation of a lien upon the title to and interest in real and personal property of the person against whom the warrant is issued.

(f) An excise tax on the possession and operation of each vending machine now or hereafter installed in any place other than a building or space owned or leased by any federal, state or municipal government or public authority. Such tax shall not be in excess of fifty cents per month for each such machine and may be imposed upon the individual, copartnership or corporation occupying the premises in which such machine is installed. The local law imposing such tax may provide that the amount of the tax shall be paid by such individual, copartnership or corporation occupying such premises to the owner or distributor operating such vending machine for and on account of the municipality and such owner or operator shall be liable for the collection and the payment thereof; and the owner or operator shall have the same right in respect to collecting the tax from the occupant or in respect to non-payment of the tax by the occupant, as if the tax were a part of the charge for such vending machine and payable at the time such tax becomes due and owing.

For the purposes of this subdivision the words "vending machine" mean a machine which vends automatically or sells tangible personal property.

The revenues derived from the levy of such taxes shall be used exclusively and solely for the purpose or purposes for which such taxes are levied.

§ 111. Review. (a) Any such tax may be reviewed by a proceeding under article seventy-eight of the civil practice law and rules and any local law or ordinance imposing any such tax or taxes shall include provisions making such review available upon reasonable conditions including a requirement that application for review be made within thirty days after the determination of the amount of the tax or taxes, and that the amount of the tax or taxes, interest and penalties and security for costs, be first deposited.

(b) Any city having a population of one million or more is hereby authorized to adopt and amend local laws that provide for the review of any such tax in the same manner as the review of the tax on cigarettes imposed by such city, including the ability to seek conciliation concerning determinations of such tax as well as review of such tax in the agency or tribunal authorized to review the tax on cigarettes imposed by such city.

§ 112. Disposition of proceeds of taxes. Notwithstanding the provisions of any general, special or local law to the contrary, revenues heretofore or hereafter resulting from the imposition of taxes authorized by this article for either or both of the purposes referred to in section one hundred ten of this article, other than the taxes described in subdivision (e) of such section in a city having a population of one million or more, shall be deposited in the city or village treasury and credited to a separate account. During each fiscal year of such city or village, an amount not in excess of the amount included in the annual budget or estimate for such fiscal year for the purpose or purposes for which such taxes were levied shall be charged to such account and credited to the general fund for the reduction of

taxation or into the general or other fund available for current expenses of such city or village. No other payment shall be made from such an account or accounts. In a city having a population of one million or more, the revenues from the taxes described in subdivision (e) of section one hundred ten of this article shall be deposited in the general fund and a payment of an equal amount shall be made, in the same fiscal year or as soon as practicable thereafter for the purposes described in such section.

§ 113. Exemptions. 1. No tax authorized by paragraphs (b), (c), (d), (e) and (f) of section one hundred ten shall be imposed upon the following, or upon any transaction with the following:

a. The state of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada), improvement district or other political subdivision of the state where it is the purchaser, user or consumer;

b. The United States of America, in so far as it is immune from taxation;

c. The United Nations or other world-wide international organizations of which the United States of America is a member; and

d. Any corporation, or association, or trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

2. Nothing in subdivision one of this section shall exempt sales by any shop or store operated by any college, university or other public or private institution for higher education from the taxes described in paragraphs (d) and (e) of section one hundred ten.

3. The following shall not be subject to the tax authorized by paragraph (a) of section one hundred ten:

a. Except as provided in paragraph b hereof, any admissions all of the proceeds of which inure:

(1) Exclusively to the benefit of

(a) a church, a religious organization, or a convention or association of churches,

(b) an educational institution which is described in subdivision six of section one hundred one of the internal revenue code of the United States or which is an educational institution of a government or political subdivision thereof, if such organization normally maintains a regular faculty and curriculum and normally has a regular organized body of pupils or students in attendance at the place where its educational activities are regularly carried on,

(c) a corporation, association, or any community chest, fund, or foundation organized and operated exclusively for charitable purposes, which is described in subdivision six of section one hundred one of the internal revenue code of the United States,

(d) a society or organization conducted for the sole purpose of maintaining symphony orchestras or operas and receiving substantial support from voluntary contributions.

(e) an organization (organized prior to October one, nineteen hundred fifty-one) which is described in subdivision six of section one hundred one of the internal revenue code of the United States and which is operated for the purpose of conducting an annual Chautauqua program of educational, cultural, and religious activities at a permanent location, provided in each case no part of the net earnings thereof inures to the benefit of any private stockholder or individual;

(2) Exclusively to the benefit of national guard organizations, posts or organizations of war veterans, or auxiliary units or societies of any

such posts or organizations, if such posts, organizations, units, or societies are organized in this state, and if no part of their net earnings inures to the benefit of any private stockholder or individual; or

(3) Exclusively to the benefit of a police or fire department of a political subdivision, or exclusively to a retirement, pension or disability fund for the sole benefit of members of such a police or fire department or to a fund for the heirs of such members.

b. The exemption provided under paragraph a hereof shall not apply in the case of admissions to:

(1) Any athletic game or exhibition unless the proceeds shall inure exclusively to the benefit of elementary or secondary schools or unless in the case of an athletic game between two elementary or secondary schools, the entire gross proceeds from such game shall inure to the benefit of an organization described in paragraph (d) of subdivision one of this section;

(2) Wrestling matches, prize fights, or boxing, sparring or other pugilistic matches or exhibitions;

(3) Carnivals, rodeos or circuses in which any professional performer or operator participates for compensation; or

(4) Any motion picture exhibition.

c. Any admission to agricultural fairs if no part of the net earnings thereof inures to the benefit of any stockholders or members of the association conducting the same; provided the proceeds therefrom are used exclusively for the improvement, maintenance, and operation of such agricultural fairs.

d. Any admissions to swimming pools, bathing beaches, skating rinks, or other places providing facilities for physical exercise operated by the state or a political subdivision thereof or by the United States or any agency or instrumentality thereof; provided the proceeds therefrom inure exclusively to the benefit of the state, political subdivision, United States, agency or instrumentality.

e. Any admission to a home or garden which is temporarily open to the

general public as a part of a program conducted by a society or organization to permit the inspection of historical homes and gardens; provided no part of the net earnings thereof inures to the benefit of any private stockholder or individual.

f. Any admission to historic sites, houses and shrines, and museums conducted in connection therewith, maintained and operated by a society or organization devoted to the preservation and maintenance of such historic sites, houses, shrines, and museums; provided no part of the net earnings thereof inures to the benefit of any private stockholder or individual.

g. Any admissions to concerts conducted by a civic or community membership association if no part of the net earnings thereof inures to the benefit of any stockholders or members of such association.

ARTICLE VII

ACQUISITION OF PROPERTY

Section 119. Options to purchase property or awards.

120. Acquisition of real property.

121. Acquisition after project approved.

122. Acquisition by a government.

123. Acquisition of lands for future use.

124. Grant or lease of property by a government to or for an authority.

125. Proceedings to condemn.

126. Condemnation of excess property.

127. Temporary use or occupation of property.

128. Filing of instruments assigning or pledging awards.

§ 119. Options to purchase property or awards. A municipality or authority may at any time secure options in its own name or in the name of nominees to purchase property or any interest therein or awards in condemnation made or to be made therefor. No consideration need be given or paid by a municipality or authority to the person, firm, or

corporation giving the option. The option granted to the municipality or authority to purchase such real property or award shall not be withdrawn or cancelled during the period named therein. Any such option may be extended by the optionor for a period or periods beyond the period named therein. The option shall be in such form that acceptance thereof by the municipality or authority within the time limited therein, or within any extended period, will create a binding contract for the sale of the real property or award described therein.

§ 120. Acquisition of real property. Real property may be acquired by a municipality, by an authority or by a municipality for an authority by gift, grant, devise, purchase, condemnation or otherwise, and with respect to a municipal or state project, according to the provisions of the eminent domain procedure law. The provisions of this article with respect to condemnation of property by or for an authority shall prevail over the provisions of any other general, special or local law.

§ 121. Acquisition after project approved. When a project has been approved, an authority may purchase, lease or condemn, or obligate itself to purchase, lease or condemn, real property for a project. Notwithstanding any other provisions of and in addition to any other powers granted under this chapter, where all the dwelling units in a building have been leased by an authority for occupancy by persons or families of low income in accordance with the provisions of section twenty-three of the United States housing act of nineteen hundred thirty-seven, as amended, the prior approval by the local legislative body of such leasing program shall constitute all necessary approvals under this chapter for an authority to exercise an option to purchase such real property.

§ 122. Acquisition by a government. Real property acquired for an authority by a government subsequent to the approval of a project may be conveyed by such government to the authority with or without consideration and upon such terms as may be agreed upon by such

government and the authority.

§ 123. Acquisition of lands for future use. Notwithstanding any provision of law, an authority or a government may acquire by purchase, gift, condemnation or otherwise, such property as it may deem ultimately necessary or proper to effectuate the purposes of this chapter or any of them although temporarily not required for such purposes, provided that the local legislative body and the planning commission, if any, authorize such acquisition. The acquisition and use of property under this section shall be subject to the planning and zoning laws, ordinances and regulations applicable to the municipality in which the property is situated. Proceedings to condemn such property shall be brought by the authority or government in the same manner as for real property required for a project.

§ 124. Grant or lease of property by a government to or for an authority. In connection with projects located within its territorial boundaries, a government may, notwithstanding any other provisions of law, upon such terms, with or without consideration, as it may deem advisable, grant, convey or lease any of its property, whether held in a proprietary or governmental capacity, to an authority or government, including real property already devoted to a public use, provided that the government making the grant or lease determines that the premises are no longer required for the public use to which the property is devoted and that it is to the interest of the government to grant or lease the property to the authority for the purposes of this chapter. Notwithstanding any other provisions of this section to the contrary, if the property is listed by the government as parkland in the office of the assessing authority of the government or such property is used as active or passive parkland or is parkland, then such property shall not be so granted, conveyed, leased or discontinued as parkland, without an act of the state legislature approving such grant, conveyance lease, or discontinuance. Notwithstanding any general, special or local law and any limitation or prohibition which may be contained therein against the power of alienation, any grant, sale, conveyance or lease may be made by

a government to an authority or government in connection with a project, without appraisal, public notice, advertisement or public bidding. The finding of the government having jurisdiction that the property is no longer required for the public purpose for which it is devoted and that it is to the best interest of the government involved to grant or lease the property, shall be conclusive.

§ 125. Proceedings to condemn. 1. To initiate a condemnation proceeding, an authority may adopt a resolution describing the property and declaring that the acquisition of the property is in the public interest and necessary for the public use, and that the property sought to be condemned is or will be required for a project. A certified copy of the authority's resolution shall be conclusive evidence as to the matters contained therein in any condemnation proceeding to acquire the property, or any part thereof, described in such resolution.

2. An authority may exercise the power of condemnation pursuant to the provisions of the eminent domain procedure law.

3. An authority may petition the municipality to institute proceedings under any applicable general, special or local law, to acquire property described in the petition which the authority has certified to be necessary for a project. The resolution granting the petition shall set forth the amount to be paid by the authority to the municipality for such property or in lieu thereof that the authority shall pay to the municipality all sums expended or required to be expended by the municipality in the acquisition thereof, and the time of payment and manner of securing payment thereof, and may require that the municipality shall receive, before proceeding with the acquisition of such property, such assurances as to payment or reimbursement by the authority or otherwise as the municipality may deem advisable. Upon the passage of a resolution by the local legislative body of the municipality granting the petition, the authority shall cause three copies of surveys or maps of the property described in the petition to be made, one of which shall be filed in the office of the authority, one in the office of the corporation counsel or chief law officer of the

municipality, and one in the office in which instruments affecting real property in the county are recorded. The filing of such copies of surveys or maps shall be conclusive evidence of the acceptance by the authority of the terms and conditions of such resolution. The municipality may proceed under the eminent domain procedure law to acquire title to such property. When title to the property shall have vested in the municipality, it shall convey the same to the authority upon payment by the authority of the sums and the giving of the security required by the resolution granting the petition. As soon as title shall have vested in the municipality, the authority may, upon the authorization of the mayor, enter upon the property taken, take over and dispose of existing improvements, and carry out the terms of the project with respect thereto. Whenever in connection with condemnation proceedings, requirement is made in any applicable general, special or local law for the performance of an act by a department or officer of the municipality, it shall be regarded for the purposes of this section as compliance therewith if with the approval of the mayor such act is performed by the authority or by persons specially designated by it.

4. In any proceedings for the assessment of compensation and damages for property taken or to be taken by condemnation by or for an authority, the following provisions shall be applicable:

(a) Evidence of the price and other terms upon any sale or the rent received or reserved, whichever is less, and other terms upon any option, lease or tenancy relating to any of the property taken or to be taken or to any similar property in the vicinity when the option, sale or lease was given, occurred or the tenancy existed, within a reasonable time of the trial, shall be admissible on direct examination. At any stage of the proceeding, the court or tribunal may require such prior notice to be given of an intention to introduce evidence as to the sale, option, leasing or tenancy of property other than the property directly involved in the proceeding and of particulars relating thereto as it may deem necessary to prevent surprise.

(b) The deposition of any person, whether or not a party, may be taken in the manner provided for any civil action and the provisions of this section. Such deposition may be taken upon any question or issue in the proceeding, including the facts as to any sale, option, lease or tenancy

admissible in evidence pursuant to this subdivision. The deposition may be taken at the instance of the authority, the municipality or of any owner or at the direction of the court, at any time during the pendency of the action or proceeding. At least five days' notice, or if service is through the mails, at least eight days' notice, shall be given of the taking of the testimony, if on the part of an owner, to the authority and to all other owners who have appeared in the proceeding; if by the authority or a municipality, to all owners who have appeared in the proceeding.

(c) Any time during the pendency of such action or proceedings, an authority, municipality or an owner may apply to the court for an order directing an owner or the authority or the municipality, as the case may be, to show cause why further proceedings should not be expedited, and the court may upon such application make an order requiring that the hearings proceed and that any other steps be taken with all possible expedition.

(d) For the purposes of this article, the award of compensation shall not be increased by reason of any increase in the value of the property caused by the clearance, reconstruction or proposed clearance or reconstruction for the purposes of this chapter of the property or of the area in which the property is situated. No allowance shall be made for improvements begun on property after notice to the owner of such property of the institution of the proceedings to condemn such property.

(e) Evidence shall be admissible bearing upon the insanitary, unsafe or substandard condition of the premises, or the illegal use thereof, or the enhancement of rentals from such illegal use, and such evidence may be considered in fixing the compensation to be paid, notwithstanding that no steps to remedy or abate such conditions have been taken by the department or officers having jurisdiction. If a violation order is on file against the premises in any such department, it shall constitute prima facie evidence of the existence of the condition specified in such order.

(f) If any of the property included within the project is devoted to a public use, it may nevertheless be acquired provided that no property belonging to the municipality or to any government may be acquired without its consent, and no property belonging to a public utility corporation may be acquired without the approval of the commission or

other officer or tribunal having regulatory power over such corporation.

(g) Upon the trial, evidence of the price and other terms upon a sale or assignment or of a contract for the sale or assignment of a mortgage, award, proposed award, transfer of a tax lien or lien of a judgment relating to property taken, shall be relevant, material and competent, upon the issue of value or damage and shall be admissible on direct examination.

(h) Upon the trial a statement, affidavit, deposition, report, transcript of testimony in an action or proceeding, or appraisal made or given by any owner or prior owner of the premises taken, or by any person on his behalf, to any court, governmental bureau, department or agency respecting the value of the property for tax purposes, shall be relevant, material and competent upon the issue of value or damage and shall be admissible on direct examination.

(i) The term "owner", as used in this section, shall include a person having an estate, interest or easement in the property to be acquired or a lien, charge or encumbrance thereon.

§ 126. Condemnation of excess property. A municipality or an authority may take private property by condemnation for the purpose of providing low rent housing for families of low income, or for the clearance, replanning, reconstruction and rehabilitation of areas, or for both of such purposes, and for recreational and other facilities incidental or appurtenant thereto, but in excess of that required for public use after such purposes shall have been accomplished. An authority or municipality may improve and utilize such excess property wholly or partly for any other public purpose, or may lease or sell such excess property with restrictions to preserve and protect the project or projects. Proceedings to acquire such excess property may be brought by the authority or municipality in the same manner as for the real property required for the project and may be included in the proceedings for the acquisition of real property required for the project.

§ 127. Temporary use or occupation of property. 1. When title to property has vested in a municipality or an authority by purchase or in

condemnation proceedings, the municipality or the authority, whichever has acquired title, may pursuant to the provisions of the eminent domain procedure law, agree with the previous owners of such property, or any tenants continuing to occupy or use it, or any other persons who may occupy or use or seek to occupy or use such property

2. In the event that a municipality has purchased or condemned property on behalf or for the benefit of an authority, the municipality shall, in transferring title to an authority, deduct from the consideration or other moneys which the authority has become obligated to pay the municipality for such property, and credit the authority with, the amounts received by the municipality as payment for temporary occupation and use of the property by a former owner, tenant or other person as hereinabove set forth, less the cost and expense incurred by the municipality for the maintenance and operation of such property.

3. In the event that a municipality has condemned property on behalf of or for the benefit of an authority, the lien provided for in subdivision (c) of section three hundred five of the eminent domain procedure law shall also inure to the benefit of such authority and such authority shall have all the powers, rights and remedies provided for in that section as if such authority had directly acquired title to such property.

§ 128. Filing of instruments assigning or pledging awards. In the case of the pledge, sale, transfer or assignment of an award by the person entitled to receive the same by virtue of the final decree of the court in a condemnation proceeding, or by other order of the court, the instrument evidencing such pledge, sale, transfer or assignment, acknowledged or proved as instruments are required to be acknowledged or proved for the recording of instruments affecting real property, shall be filed in the office of the secretary of the authority, who shall endorse on such instrument its number and the hour, day, month and year of its receipt. If such final decree or other order was obtained by the municipality on behalf of or for the benefit of the authority, a duplicate original of such instrument must also be filed in accordance

with the provisions of any general, special or local law applicable to awards payable by such municipality. If an assignment of an award shall be contained in an instrument recorded in the office in which instruments affecting real property are by law required to be recorded, a certified copy thereof may be filed in the office of the secretary of the authority in place of the original. An alphabetical index shall be kept under the name of the pledgor or assignor and of the pledgee or assignee, stating the title of the proceeding, the time of the filing of the instrument, the file number thereof, and what part of the award is assigned thereby. A memorandum of the file number of the instrument shall be made by the secretary of the authority on the duplicate decree of a court, opposite the place where the amount of the award so assigned is set forth. Every such instrument not so filed shall be void as against any subsequent pledgee or assignee in good faith and for a valuable consideration from the same pledgor or assignor, his heirs, administrators or assigns, of the same award or any portion thereof, the assignment of which is first duly filed in the office of the secretary of the authority. Payment to the assignee or pledgee shown to be entitled to the award by such record in the office of the secretary of the authority shall protect the authority from liability to any other person or persons.

ARTICLE VIII

PROVISIONS RELATING TO APPROVAL, CONSTRUCTION, MANAGEMENT AND OPERATION OF PROJECTS

- Section 150. Approval of plan and projects.
151. Authority construction contracts, cancellation of contracts, disqualification to contract with authority, statement of non-collusion in bids or proposals.
- 151-a. Separate specifications for certain subdivisions of work involved in the construction or alteration of buildings as a part of or in connection with housing projects.
152. Labor requirements.
153. Relocation of displaced tenants.
154. Control of rentals on authority projects.
155. Compliance with state and local laws.

- 156. Selection of tenants.
- 156-a. Notice of rejection of applicants for admission.
- 156-b. Notice of expiration of application.
- 156-c. Statement required for termination of lease.
- 157. Claims and actions against authorities.
- 158. Real property of authorities exempt from levy.
- 159. Disclosure of certain information prohibited.

§ 150. Approval of plan and projects. 1. The prior approval of the local legislative body and of the planning commission, if any, in the manner hereinafter provided in subdivision two of this section, shall be requisite to the final adoption or approval by an authority or municipality of a plan or project. Where a master plan exists such plan shall conform to such master plan, except as such master plan may be changed pursuant to the procedure prescribed by law. Where changes in the city map and zoning amendments or variances are necessitated by such master plan, or in furtherance of such master plan, such amendments, variances and changes shall be submitted together with the plan or project herein and considered as part thereof.

2. Every plan or project proposed by an authority or municipality shall be submitted by the authority or the municipality to the planning commission, if any, for approval. The planning commission, after a public hearing, notice of which shall be published at least ten days prior thereto in the official publication of the municipality, or if none exists, in a newspaper circulating in the municipality, and after considering the plan or project, may:

- a. Issue a report of unqualified approval; or
- b. Issue a report of conditional or qualified approval; or
- c. Issue a report disapproving thereof.

The plan or project shall be submitted by the authority or municipality, together with the report of the planning commission, to

the local legislative body for its approval. If the planning commission shall have issued a report of unqualified approval, the plan or project may be approved in accordance with the report of the planning commission by a majority vote of the local legislative body. If the planning commission shall have issued a report disapproving thereof, or shall have issued a report of conditional or qualified approval, or shall have failed to make its report within six weeks of the submission of the plan or project by the authority or municipality to the planning commission, the local legislative body may, nevertheless, approve the plan or project but only by a three-fourths vote. Notwithstanding any other provision of law, changes in the city map, zoning amendments, or variances contained in the plan shall be deemed approved by the local legislative body when it approves the plan or project. Any such changes in the city map, zoning amendments, or variances shall become effective on the date on which the authority shall file a resolution with the local legislative body in implementation thereof.

§ 151. Authority construction contracts, cancellation of contracts, disqualification to contract with authority, statement of non-collusion in bids or proposals. 1. Contracts of an authority for demolition, excavation, construction, alteration, renovation or for purchase of materials or supplies shall be in such form and contain such combination of work or trades and such terms and provisions as may be deemed advisable by the authority. All such contracts, except contracts for the purchase of materials or supplies, in excess of fifty thousand dollars shall be made on sealed bids, in compliance with a public notice advertised at least once, not less than twenty days before the date set for the receipt of bids, in the official publication of the municipality, or if none exists, in a newspaper circulating in the municipality. With respect to contracts for the purchase of materials or supplies in excess of twenty-five thousand dollars, the period of advertisement shall be not less than ten days before the date set for the receipt of bids. If the authority shall deem it to its best interest or necessary or desirable to effectuate the purposes of this chapter or the economy and efficiency in construction and operation of a project, the authority by majority vote of its members may either reject all bids

or readvertise for bids or by unanimous vote of its members may accept a bid other than the lowest bid. In any such contract there may be inserted in the discretion of the authority, a provision that additional work may be done or materials and supplies furnished or that work or materials may be omitted for the purpose of completing such contract in accordance with any changes, omissions or additions in the specifications of any such contract. Each contract shall provide that in the case of default by the contractor the authority may adopt on behalf of the authority all subcontracts made by such contractor and all such subcontractors shall be bound by such adoption if made, and the authority may relet, with or without public advertisement, the work specified in the original contract, exclusive of so much thereof as shall be provided in any subcontracts so adopted. An authority may make rules and regulations governing the qualifications of bidders, the submission of combined bids by two or more contractors, the award and execution of the contract, security, if any, for execution and performance of the contract, and any other matters relating to the contract. The bidding may be restricted to those who shall have qualified prior to the receipt of bids according to standards fixed by the authority, provided that notice or notices for the submission of qualifications shall be published in the official publication of the municipality, or if none exists, in a newspaper circulating in the municipality, at least once, not less than ten days prior to the date fixed for the filing of qualifications. Nothing in this section shall be construed to limit the power of the authority to carry out a project or any part thereof directly by the officers, agencies and employees of the authority, or by any government, or to purchase or acquire materials or supplies through the purchasing officer, department or agency of a government.

2. A clause shall be inserted in all specifications or contracts hereafter made or awarded by any municipal housing authority or by any official of any municipal housing authority, for work or services performed or to be performed or goods sold or to be sold, to provide that upon the refusal by a person who directly or indirectly derives a monetary benefit which is traceable to such a specification or contract, when called before a grand jury to testify concerning any transaction or

contract had with the state or of any political subdivision thereof, a public authority, a municipal housing authority or with any public department, agency or official of the state or of any political subdivision thereof or of any public authority or of a municipal housing authority or subcontract thereunder, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction, contract or subcontract.

(a) Such person and any firm, partnership or corporation of which he is a member, partner, director or officer, shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal housing authority or official thereof or any subcontract thereunder, or sub-contracting with any person, firm, partnership or corporation who or which has entered into any such contract or contracts, in relation to such contract or contracts, for goods, work or services, for a period of five years after such refusal. No person, firm, partnership or corporation who or which has entered into any contract or contracts with the state, or any political subdivision thereof, a public authority, a municipal housing authority, or with any public department, agency or official of the state or any political subdivision thereof or of any public authority, or of a municipal housing authority, for goods, work or services, shall enter into a sub-contract thereon with any person, firm or corporation which is disqualified to contract as provided herein. Such clause shall also provide that

(b) Any and all contracts made with any municipal housing authority or official thereof or any subcontract thereunder, since the effective date of this law, by such person and by any firm, partnership or corporation of which he is a member, partner, director or officer may be cancelled or terminated by the municipal housing authority without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal housing authority or by a contractor or subcontractor thereunder for goods delivered or work done prior to the cancellation or termination shall be paid.

3. (a) Any person who, when called before a grand jury to testify concerning any transaction or contract had with the state, any political subdivision thereof, a public authority, a municipal housing authority

or with a public department, agency or official of the state or of any political subdivision thereof or of a public authority or of a municipal housing authority, refuses to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal housing authority or any official of any municipal housing authority created by the state or any political subdivision, or sub-contracting with any person, firm, partnership or corporation who or which has entered into any such contract or contracts, in relation to such contract or contracts, for goods, work or services, for a period of five years after such refusal or until a disqualification shall be removed pursuant to the applicable provisions of law. No person, firm, partnership or corporation who or which has entered into any contract or contracts with the state, or any political subdivision thereof, a public authority, a municipal housing authority, or with any public department, agency or official of the state or any political subdivision thereof or of any public authority, or of a municipal housing authority, for goods, work or services, shall enter into a sub-contract thereon with any person, firm or corporation which is disqualified to contract as provided herein.

(b) It shall be the duty of the officer conducting the investigation before the grand jury before which the refusal occurs to send notice of such refusal, together with the names of any firm, partnership or corporation of which the person so refusing is known to be a member, partner, officer or director, to the superintendent of public works of the state of New York and the appropriate departments, agencies and officials of the state, political subdivisions thereof or public authorities with whom the person so refusing and any firm, partnership or corporation of which he is a member, partner, director or officer, is known to have a contract.

4. (a) Any firm, partnership or corporation which has become subject to the cancellation or termination of a contract or subcontract or disqualification to contract or subcontract on account of the refusal of

a member, partner, director or officer thereof to waive immunity when called to testify, as provided in subdivisions two and three of this section, may, upon ten days' notice to the attorney general and to the officer who conducted the investigation before the grand jury in which the refusal occurred, make an application at a special term of the supreme court held within the judicial district in which the refusal occurred for an order discontinuing the disqualification. Such application shall be in the form of a petition setting forth grounds, including that the cooperation by petitioner with the grand jury at the time of the refusal was such, and the amount and degree of control and financial interest, if any, in the petitioning firm, partnership or corporation by the member, partner, officer or director who refused to waive immunity is such that it will not be in the public interest to cancel or terminate petitioner's contracts or subcontracts or to continue the disqualification, as provided in subdivisions two and three of this section.

A copy of the petition and accompanying papers shall be served with the notices to be given pursuant to this subdivision.

(b) Upon the filing of such petition the court may stay as to petitioner, pending a decision upon the petition, the cancellation or termination of any contracts or subcontracts resulting from such refusal upon such terms as to notice or otherwise as may be just.

(c) At least two days prior to the return day, the officer who conducted the investigation before the grand jury and the attorney general may file answers to the petition or apply for an order dismissing the petition as a matter of law. On or before the return day the petitioner may file a reply to the answer.

(d) Upon the return day the court may, upon the petition and answer and other papers filed, forthwith render such final order as the case requires, or if a triable issue of fact is duly raised, it shall forthwith be tried before a court sitting without a jury or before a referee. The provisions of statute or rule governing references in an action shall apply to a reference under this subdivision.

(e) The court shall render a final order dismissing the petition on the merits or discontinuing the disqualification upon the ground that the public interest would be served by its discontinuance, and granting

such other relief as to the cancellation or termination of contracts or subcontracts as may be appropriate, but without costs to petitioner.

5. (a) Every bid or proposal hereafter made to a municipal housing authority where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

(1) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

(i) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(ii) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(iii) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

(2) A bid shall not be considered for award nor shall any award be made where (1) (i) (ii) and (iii) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (1) (i) (ii) and (iii) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the municipal housing authority to which the bid is made determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective

customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph (a) of this subdivision.

(b) Any bid hereafter made to any municipal housing authority by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in paragraph (a) of this subdivision, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

6. Notwithstanding the provisions of any other law to the contrary, all contracts for public work awarded pursuant to this section by a municipal housing authority created under article thirteen of the public housing law shall be in accordance with sections one hundred six, one hundred six-a and one hundred six-b of the general municipal law.

§ 151-a. Separate specifications for certain subdivisions of work involved in the construction or alteration of buildings as a part of or in connection with housing projects. 1. Notwithstanding any inconsistent provision of this chapter or any other general, special or local law, except as otherwise provided in section two hundred twenty-two of the labor law, any authority or municipality, or any officer, board, department, commission or other agency thereof charged with the duty of preparing specifications or awarding or entering into contracts involving the erection, construction, reconstruction or alteration of any building or other appurtenance as a part of or in connection with a project or any part thereof in any part of the state under or pursuant to the authority of this chapter, when the entire cost of such work shall exceed three million dollars in the counties of the Bronx, Kings, New York, Queens, and Richmond; one million five hundred thousand dollars in the counties of Nassau, Suffolk and Westchester; and five hundred thousand dollars in all other counties within the state, must

have prepared separate specifications for the following three subdivisions of the work to be performed:

- a. Plumbing and gas fitting;
- b. Steam heating, hot water heating, ventilating and air conditioning apparatus; and
- c. Electric wiring and standard illuminating fixtures.

2. Such specifications must be so drawn as to permit separate and independent bidding upon each of the above three subdivisions of work. All contracts hereafter awarded by any such authority or municipality, or any officer, board, department, commission or other agency thereof, involving the erection, construction, reconstruction or alteration of any building as a part of or in connection with any project under or pursuant to this chapter, shall award the three subdivisions of the above specified work separately to responsible and reliable persons, firms or corporations engaged in such classes of work.

2-a. Each bidder on a public work contract, where the preparation of separate specifications is not required, shall submit with its bid a separate sealed list that names each subcontractor that the bidder will use to perform work on the contract, and the agreed-upon amount to be paid to each, for: a. plumbing and gas fitting, b. steam heating, hot water heating, ventilating and air conditioning apparatus and c. electric wiring and standard illuminating fixtures. After the low bid is announced, the sealed list of subcontractors submitted with such low bid shall be opened and the names of such subcontractors shall be announced, and thereafter any change of subcontractor or agreed-upon amount to be paid to each shall require the approval of the public owner, upon a showing presented to the public owner of legitimate construction need for such change, which shall be open to public inspection. Legitimate construction need shall include, but not be limited to, a change in project specifications, a change in construction material costs, a change to subcontractor status as determined pursuant to paragraph (e) of subdivision two of section two hundred twenty-two of the labor law,

or the subcontractor has become otherwise unwilling, unable or unavailable to perform the subcontract. The sealed lists of subcontractors submitted by all other bidders shall be returned to them unopened after the contract award.

3. Nothing in this section shall be construed to prevent any such authority or municipality in charge of any such project from performing any such branches of work by or through their regular employees.

§ 152. Labor requirements. All contracts of an authority involving the employment, among others, of laborers, workmen or mechanics shall be in conformity with the provisions of article eight of the labor law, and such provisions shall be deemed terms of all such contracts; and for the purpose of obtaining the prevailing rate of wages or fees for such contracts, the authority shall proceed in the same manner as the municipality in which the authority operates. All such contracts involving the employment, among others, of architects, draftsmen or technicians, whether or not working on the site of the project, shall contain a provision requiring that the wages or fees prevailing in the municipality shall be paid to such architects, draftsmen and technicians; and for the purpose of obtaining the prevailing rate of wages or fees, the authority shall proceed in the same manner as the municipality proceeds in obtaining the prevailing rate of wages or fees for laborers, workmen and mechanics; and the industrial commissioner of the state or the municipal comptroller, as the case may be, shall determine such prevailing rates of wages or fees upon application of an authority in the same manner as provided by article eight of the labor law for laborers, workmen and mechanics. Employees of all contractors and subcontractors employed under or by virtue of such contracts shall have the right to organize and to bargain collectively through representatives of their own choosing.

§ 153. Relocation of displaced tenants. 1. (a) Authorities shall have the power to assist in relocating in suitable accommodations at rentals within their means families of low income who have been or will be

deprived of dwellings within areas or buildings which have been or will be cleared or demolished. In connection with any project, the authority shall maintain or provide for the maintenance of tenant placement service in which there shall be recorded lists of untenanted suitable dwellings available to families of low income and shall furnish such information to such families. Authorities shall from time to time make studies and surveys of dwelling units which may become unoccupied and available to families of low income and shall also make arrangements with owners and lessors of such dwellings for registration thereof with the tenant placement service.

(b) In connection with any state or municipal project, an authority may pay so much of the necessary cost of removal of families of low income, and of business or commercial tenants, from the area or buildings to be cleared for the development of the project to suitable locations in such cases and in such amounts as may be approved by the commissioner in the case of a state project or municipality in case of a municipal project, but, except as otherwise provided by law, in no event more than four hundred dollars for any family, nor more than three thousand dollars for any business or commercial tenant. Removal costs so paid by an authority shall be included in the project cost.

(c) In connection with the development of any federal project, an authority may contract with the federal government and with a municipality to accept and distribute relocation payments as may be agreed upon.

2. Any person or family residing in an area or building to be cleared or demolished by an authority or municipality in connection with the development of a project under this chapter may be admitted to a dwelling in any project of the authority or municipality if the probable aggregate annual income of such person or family does not exceed the income limit for continued occupancy established by the authority or municipality for the dwelling to which such person or family is admitted.

3. Until July first nineteen hundred seventy whenever an agency as defined in subdivision five of section five hundred two of the general municipal law undertakes the clearance, rehabilitation, conservation or

renewal of an area, or an authority or municipality undertakes the clearance, replanning, re-construction or rehabilitation of a substandard or insanitary area in connection with a project as defined in this chapter, and if the commissioner determines in the case of an urban renewal project financially assisted by the state as provided in sections five hundred eight, five hundred nine and five hundred ten of the general municipal law or in the case of a state project as defined in this chapter that the area of such a project is one to which this subdivision shall apply, and an authority or municipality finds that there are not available suitable dwellings for the relocation of persons or families of low income who will be deprived of dwellings within the area of such a project, such authority or municipality may, with the approval of the commissioner in the case of state projects, relocate such persons or families by admission to a dwelling in any project of the authority or municipality. The income of a family relocated pursuant to this subdivision shall not be subject to the limitation prescribed in subdivision one (a) of section one hundred fifty-six of this chapter. Notwithstanding any general, special or local law, each person or family admitted to a project pursuant to this subdivision shall be required to move from such project within one year from the date of admission unless the income of the family is within the limits prescribed for continued occupancy in the project and, in the opinion of the authority or municipality, the removal of the family from the project would occasion undue hardship.

§ 154. Control of rentals on authority projects. Subject to the terms of any loan or subsidy contract with a government, the power to fix rents on a project shall rest exclusively with the authority. But nothing in this chapter shall prevent an authority or municipality from establishing, in addition to all other operation and depreciation reserve funds, a reserve fund, or funds which may be applied in aid of the construction, operation or maintenance of other projects of such authority or municipality.

§ 155. Compliance with state and local laws. All projects shall be

subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable in the municipality in which the project is situated. Zoning regulations or other restrictions enacted by the municipality to adequately protect the area or areas of a project, as such area or areas are shown on an approved zoning map of such project filed with the municipal officer charged with enforcing such zoning regulations or other restrictions, shall thereafter be maintained without variance unless written notice of any proposed change, amendment or variance be given by the municipality to the housing authority erecting or owning such project and to the government providing financial aid or assistance to the project at least ten days prior to the date of any public hearing at which such proposed change, amendment or variance is to be considered.

§ 156. Selection of tenants. Subject to the terms of any loan or subsidy contract with a government, an authority shall have the power to select tenants for its projects. It shall observe the following standards with respect thereto:

1. The dwellings in the project shall be available solely a. for persons or families of low income whose probable aggregate annual income during the period of occupancy does not exceed six times the rental (including the value or cost to them of heat, light, water and cooking fuel) of the dwellings to be furnished such persons or families, except that in the case of persons or families with four or more dependents, such ratio shall not exceed seven to one; in calculating annual income, social security payments and income received from pension funds by any person sixty-two years of age or more shall be excluded up to a total maximum amount of seventy-five dollars per month;

b. also for persons or surviving spouses of persons who

(1) have served in the armed forces of the United States for a period of at least six months (or any shorter period which terminated due to death or injury incurred in such service), provided some portion of the period of service was between the first of November, nineteen hundred fifty-five to the seventh day of May, nineteen hundred seventy-five, and

(2) (i) have been thereafter discharged or released therefrom under conditions other than dishonorable, or (ii) have a qualifying condition, as defined in section one of the veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service, or (iii) are discharged LGBT veterans, as defined in section one of the veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service, or (iv) died in such service, not more than five years prior to the time of application for admission to such project, and

(3) whose probable aggregate annual income during the period of occupancy does not exceed seven times the rental (including the value or cost to them of heat, light, water and cooking fuel) of the dwellings to be furnished such persons or families, except that in the case of persons or families with four or more dependents, such ratio shall not exceed eight to one.

The "probable aggregate annual income" means the annual income of the chief wage earner of the family plus all other income of other members of the family over the age of twenty-one years, plus a proportion of the income of members under the age of twenty-one years to be determined by the authority solely for the purpose of establishing rent to be paid except that the authority may exclude a proportion of the income of other members of the family over the age of twenty-one years for the purpose of determining eligibility for admission or continued occupancy, or for establishing rental of such family, or for all such purposes, subject to approval by the commissioner with respect to state projects.

2. The authority may rent or lease to a person or family a dwelling unit, or to a duly authorized agency, as defined in section three hundred seventy-one of the social services law, for the operation of agency boarding homes or group homes or to a non-profit corporation organized under the membership corporations law or to any public agency as defined in section four hundred sixty-one of the general municipal law which provides residences and social services to dependent aged persons or to a social services official for any purpose authorized under the social services law and for which the social services official has authority to rent or lease dwelling units, one or more dwelling

units, consisting of a room or number of rooms, but no greater number than it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

3. In the event that the income of the family residing in a project increases and the ratio to the rental of the dwelling becomes greater than prescribed by law at the time of their admission or in subdivision one of this section, whichever is greater, and the income is not more than fifty per centum above the family income so prescribed for admission to the dwelling and such increased income continues for a period of three months or more, the authority may permit the tenant to continue to occupy his dwelling provided the authority is convinced that the tenant cannot secure safe and sanitary dwelling from private enterprise or by reason of other facts the removal of the family from the project would occasion other undue hardship to the family. However, the rent of such family shall be increased in proportion to its ability to pay more, the amount of increase to be ruled upon and prescribed by the authority for such cases.

4. In the event that the ratio of the income of the family to the rental of the dwelling becomes greater than that prescribed by law at the time of their admission or in subdivision one of this section, whichever is greater, and is more than fifty per centum above the family income so prescribed for admission to the dwelling and continues for a period of three months, the authority shall require such family to remove from the dwelling and may take such steps, including summary proceedings, as are necessary to effect the removal of the family. A three months' period shall be given the family to find new accommodations. Pending removal from the dwelling, the rent of such family shall be increased in proportion to its ability to pay more, the amount of increase to be ruled upon and prescribed by the authority for such cases.

5. Notwithstanding the foregoing provisions of this section, an authority may establish income limits for continued occupancy for any project aided by periodic cash subsidies, exceeding the limits otherwise authorized under this section but not in excess of the highest income

limits approved by the commissioner for any state project in the municipality. The provisions of this subdivision are intended solely for the purpose of determining eligibility and not for the purpose of determining rent to be paid.

6. Notwithstanding any provisions to the contrary contained in this chapter, if an authority determines that any person or family of low income residing in any project of the authority whose income exceeds the limits for continued occupancy is unable to find decent, safe and sanitary housing within its financial reach within the community although making every reasonable effort to do so or because of special circumstance the removal of such person or family would occasion undue hardship such person or family may be permitted to remain in occupancy for the duration of such a situation. The rent of such person or family shall be increased in accordance with its ability to pay, the amount of such increase to be prescribed by the authority.

7. A municipal housing authority created and established for a city of one hundred thousand or more shall grant a preference in the selection of tenants to members of a police force of such city provided that such members otherwise qualify for occupancy in its projects and provided, further, that such city has adopted a local law authorizing such preference.

§ 156-a. Notice of rejection of applicants for admission. In the event that the authority determines that an applicant is ineligible for public housing it shall cause a written record stating the reasons for ineligibility to be filed in its office. The applicant shall be mailed a letter from the housing authority stating that the applicant is ineligible and that the applicant may be apprised of the reason or reasons for such ineligibility at a personal interview at the office of the housing authority.

§ 156-b. Notice of expiration of application. Whenever the regulations of an authority provide that an application for public

housing expires after a period of time, the applicant shall be notified in writing by the authority of the date of expiration of such application.

§ 156-c. Statement required for termination of lease. Notwithstanding any other provision of law, an authority must incorporate into a written notice of termination of a lease the specific grounds upon which it has made its determination for termination.

§ 157. Claims and actions against authorities. 1. In every action or special proceeding, for any cause whatsoever, prosecuted or maintained against an authority, other than a claim arising out of a condemnation proceeding, the complaint or necessary moving papers shall contain an allegation that at least thirty days have elapsed since the demand, claim or claims upon which such action or special proceeding is founded were presented to the authority for adjustment and that it has neglected or refused to make an adjustment or payment thereof for thirty days after such presentment.

2. An action against an authority for damages for injuries to real or personal property, or for the destruction thereof, or for damages for personal injuries, alleged to have been sustained by reason of the negligence of, or by the creation or maintenance of a nuisance by said authority, or any member, officer, agent or employee thereof, shall be commenced within one year and ninety days after the cause of action therefor shall have accrued, provided that a notice of the intention to commence such action shall have been served upon the authority. All the provisions of section fifty-e of the general municipal law shall apply to such notice. The authority may require any claimant hereunder to be examined as provided in section fifty-h of the general municipal law, and all the provisions of such section shall apply to such examinations.

3. The authority may require any person presenting for settlement an account or claim for any cause against the authority, except as to examination on claims as set forth in subdivision two of this section,

to be sworn before a member, the secretary, counsel or an attorney of the authority, touching such account or claim, and when so sworn, to answer orally as to any facts relative to the adjustment of such account or claim. The authority may settle or adjust all claims in favor or against the authority, and all accounts in which the authority is concerned as debtor or creditor; but in adjusting and settling such claims, it shall, as far as practicable, be governed by the rules of law and principles of equity which prevail in courts of justice.

4. This section shall not apply to claims, actions or proceedings by obligees on bonds or covenants of an authority, or claims arising out of condemnation proceedings except as provided in subdivision five herein.

5. The rate of interest to be paid by an authority upon any judgment or accrued claim against the authority shall not exceed nine per centum per annum.

§ 158. Real property of authorities exempt from levy. All real property of an authority shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same, nor shall any judgment against an authority be a charge or lien upon its real property; provided, however, that the provisions of this section shall not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage of an authority or the right of obligees to pursue any remedies for the enforcement of any covenant of an authority or of any pledge or lien given by an authority on its rents, fees or revenues.

§ 159. Disclosure of certain information prohibited. Information acquired by an authority, the division of housing and community renewal or a municipality or by an officer or employee thereof from applicants for dwellings in projects of an authority or municipality or other housing programs administered by a housing authority, municipality or the division of housing and community renewal, or from tenants of dwellings thereof or from members of the family of any such applicant or

tenant or from employers of such persons or from any third person, whether voluntarily or by compulsory examination as provided in this chapter, shall be for the exclusive use and information of the authority, division of housing and community renewal or municipality in the discharge of its duties under this chapter and shall not be open to the public nor be used in any court in any action or proceeding pending therein unless the authority, division of housing and community renewal, municipality or successor in interest thereof is a party or complaining witness to such action or proceeding. Notwithstanding the foregoing, the authority or municipality shall furnish to the commissioner of housing and community renewal full and complete reports relating to any such applicant or tenant whenever the commissioner of housing and community renewal shall request such reports. Also, nothing herein contained shall operate to prevent an authority or municipality from making full and complete reports to the commissioner of housing and community renewal or to the municipality in which an authority operates or to the federal government or any agency thereof relating to the administration of this chapter or of any project or relating to any such applicant or tenant, nor to prohibit an authority or municipality or any government or agency receiving such information of an authority or municipality, from publishing statistics or other general information drawn from information received from such applicants or tenants.

ARTICLE X

LOANS TO OWNERS OF EXISTING MULTIPLE DWELLINGS

- Section 210. Policy and purposes of article.
211. Definitions.
212. Loans to owners.
213. Occupancy.
214. Conditions precedent to making such loans.
- 214-a. Rent control; tax exemption.
215. Rules and regulations.

§ 210. Policy and purposes of article. It is hereby declared that there exists in municipalities in this state a seriously inadequate

supply of safe and sanitary dwelling accommodations for persons and families of low income; that such shortage constitutes an emergency and a grave menace to the health, safety, morals, welfare and comfort of citizens of this state; that there exists in such municipalities a large number of multiple dwellings which are inadequate, unsafe or insanitary by reason of the absence of proper heating facilities or by reason of the necessity for elimination of conditions dangerous to human life or detrimental to health, including nuisances as defined, in section three hundred nine of the multiple dwelling law, or for other rehabilitation or improvement and which can be made adequate, safe and sanitary, by the installation of proper heating facilities or by other rehabilitation or improvement or by the elimination of such conditions; that such installation, rehabilitation or improvement cannot readily be provided by the ordinary unaided operation of private enterprise for occupancy by persons or families of low income without public aid in the form of low interest loans to owners of such multiple dwellings for the purpose of such installation, rehabilitation or improvement; that the installation of proper heating facilities in such multiple dwellings or other rehabilitation or improvement thereof for occupancy by persons of low income as defined in this article is a public use and a public purpose for which public money may be loaned; that such conditions require the provisions hereinafter enacted; and the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

§ 211. Definitions. As used in this article the following terms shall mean:

1. The term "existing multiple dwelling" shall mean any multiple dwelling erected before April eighteenth, nineteen hundred twenty-nine and in existence on the date upon which this article takes effect.

2. The term "agency" shall mean any officer, board, commission, department, or other agency of the municipality, or the authority or any other public authority, designated by the local legislative body to carry out the functions vested in the agency under this article or

delegated to the agency by the local legislative body in order to carry out the purposes and provisions of this article.

3. a. The term "persons or families of low income" shall mean "persons of low income" or "families of low income" as defined in section three of this chapter, whose probable aggregate annual income during the period of occupancy does not exceed six times the rental (including the value or cost to them of heat, light, water and cooking fuel) of dwelling units occupied by such persons or families in existing multiple dwellings aided by a loan pursuant to this article, except that in the case of persons or families with three or more dependents, such ratio shall not exceed seven to one, and except further that the income limitations prescribed by this paragraph shall be subject to the provisions of subdivision two of section two hundred thirteen of this chapter.

In calculating annual income, social security payments and income received from private pension funds by any person sixty-two years of age or more shall be excluded up to a total maximum amount of seventy-five dollars per month. The term "probable aggregate annual income" means the annual income of the chief wage earner of the family, plus all other income of other members of the family over the age of twenty-one years, plus a proportion of income of gainfully employed members under the age of twenty-one years, the proportion to be determined by the agency. The agency may exclude a proportion of the income of other members of the family over the age of twenty-one years for the purpose of determining eligibility for commencement of occupancy or continued occupancy, or for establishing rental of such family, or for all such purposes.

b. Notwithstanding the provisions of paragraph a of this subdivision, and subject to the provisions of subdivision three of section two hundred thirteen of this chapter, the term "persons or families of low income" shall also mean any person or family who, immediately prior to the date on which a contract for a loan with respect to an existing multiple dwelling is entered into pursuant to the provisions of this article, occupies any dwelling unit in such multiple dwelling and who continuously occupies such unit during and after completion of central

heating or other rehabilitation or improvement performed pursuant to such contract.

4. The term "occupancy date" shall mean the date defined in the contract for a loan pursuant to this article between the owner of an existing multiple dwelling and a municipality as the date upon which such multiple dwelling is to be deemed ready for occupancy, or if such term is not defined in such contract, the date of issuance of the temporary certificate of occupancy.

§ 212. Loans to owners. 1. Notwithstanding the provisions of any general, special or local law, a municipality, by its local legislative body, may make or contract to make loans to the owners of existing multiple dwellings within its territorial limits, in such amounts as may be required for the installation of proper heating facilities, or elimination of conditions dangerous to human life or detrimental to health, including nuisances as defined, in section three hundred nine of the multiple dwelling law, or other rehabilitation or improvement of such multiple dwellings, and may make temporary loans or advances to such owners in anticipation of the permanent municipal loans for such purposes.

2. Each permanent loan shall be secured by a bond and mortgage or note and mortgage upon the multiple dwelling and the land upon which it is situated. The amount of any such loan, together with the amount of all prior loans and encumbrances, shall not exceed ninety per centum of the value of the property, after completion of the installation of proper heating facilities, or elimination of such conditions or other rehabilitation or improvement, as estimated by the agency. Each such bond and mortgage or note and mortgage shall be repaid over or within a period of twenty years in such manner as may be provided in such bond and mortgage or note and mortgage and contract but in no case to exceed the probable life of the multiple dwelling which is hereby determined to be twenty years. Such bond and mortgage or note and mortgage and the contract in connection with such permanent and temporary loans may contain such other terms and provisions not inconsistent with the

provisions of this article as the local legislative body may deem necessary or desirable to secure repayment of the loan, the interest thereon and other charges in connection therewith and to carry out the purposes and provisions of this article.

3. The bond or note issued by the owner of such multiple dwelling and the mortgage relating thereto may authorize such owner, with the consent of the agency, to prepay the principal of the loan subject to such terms and conditions as therein provided. Such bond or note and mortgage may contain such other clauses and provisions as the agency shall require.

4. The agency may charge the owner of such multiple dwelling reasonable fees for financing, regulation, supervision and audit. Such fees shall be kept by the municipality in a separate fund to be known as the housing rehabilitation fund and shall be used to pay for the expenses of the municipality in administering and carrying out the provisions of this article.

§ 213. Occupancy. 1. The dwelling units in any existing multiple dwelling aided by a loan pursuant to this article shall be available solely for persons or families of low income during the period in which any part of such loan remains unpaid and for a period of at least ten years from the occupancy date.

2. In the event that after any person or family included within the provisions of paragraph a of subdivision three of section two hundred eleven of this chapter, but not included within the provisions of paragraph b of such subdivision three, begins occupancy of any dwelling unit in any multiple dwelling aided by a loan pursuant to this article, and during the period while such dwelling unit is subject to a maximum rent prescribed by the agency pursuant to this article, the income of such person or family increases so as to exceed the applicable maximum prescribed by such paragraph a by more than fifty per centum, such person shall be required to move from such dwelling.

3. a. In the event that on the date on which a contract for a loan is

made with respect to a multiple dwelling aided by a loan pursuant to this article, any person or family occupying a dwelling unit in such multiple dwelling and included within the provisions of paragraph b of subdivision three of section two hundred eleven of this chapter, has a probable aggregate annual income, as determined in accordance with the provisions of paragraph a of such subdivision three, which exceeds the income limits specified in such paragraph a by more than fifty per cent, such person or family shall be required to move from such dwelling unit upon the expiration of a period of two years after the date on which such contract is entered into.

b. In the event that at any time within a period of two years after any such contract is entered into, the income of any such person or family increases so as to exceed the income limits specified in such paragraph a by more than fifty per cent, such person or family shall be required to move from such dwelling unit upon the expiration of such period of two years.

c. If, at any time subsequent to the expiration of a period of two years after any such contract is entered into, and during the period while the dwelling unit occupied by any such person or family is subject to a maximum rent prescribed by the agency pursuant to this article, the income of such person or family increases so as to exceed the income limits specified in such paragraph a by more than fifty per cent, such person or family shall be required to move from such dwelling unit.

4. Any person or family in occupancy, whether included within the provisions of paragraph a or paragraph b of subdivision three of section two hundred eleven of this chapter, whose income exceeds the maximum prescribed by the provisions of such paragraph a with respect to the time of beginning of occupancy, shall pay a rental surcharge in accordance with a schedule of surcharges to be promulgated by the agency. Rental surcharges collected pursuant to this section shall be paid by the owner to the municipality which has granted such owner tax exemption or tax abatement pursuant to any law authorizing the granting of same, as reimbursement to such municipality therefor. In the event that such tax exemption and tax abatement have not been granted, or in

the event that a sum equal to the total amount of tax exemption and tax abatement granted to the owner has been paid to the municipality, the excess, if any, of surcharges shall be for the use and benefit of the owner.

5. Any person or family whose removal is required by any provision of this article shall be subject to removal by summary proceedings.

§ 214. Conditions precedent to making such loans. 1. No such loan shall be made by a municipality to an owner of an existing multiple dwelling unless the owner of such multiple dwelling and all persons holding a lien prior to that of the municipality shall covenant in writing that so long as any part of such loan remains unpaid and for a period of at least ten years from the occupancy date: (a) Each dwelling unit in such multiple dwelling shall be available solely for persons or families of low income;

(b) Preference shall be given to persons who shall have lived in such multiple dwelling at the time the contract for the loan was entered into and were required to move because of such installation, rehabilitation or improvement;

(c) No charge or rental for housing accommodations in such multiple dwelling shall be made or charged in excess of the rentals prescribed by the agency at the time such loan is made or as such rentals may be revised from time to time by the agency;

(d) The agency may order such repairs as will preserve the health and safety of the occupants of such multiple dwelling;

(e) All persons operating or managing such multiple dwelling will comply with the provisions of this article and the rules and regulations adopted by the agency pertaining to multiple dwellings aided hereunder and will refrain from doing any acts in violation thereof;

(f) All such persons will permit the duly authorized officers, employees, agents or inspectors of the agency to enter in or upon and inspect such multiple dwelling at all reasonable hours;

(g) The agency shall have full power to investigate into and order the owner of said multiple dwelling to furnish such reports and information as the agency may require concerning the planning and construction of

the installation, rehabilitation or improvement and the management and operation of said multiple dwelling. The agency shall also have full power to audit the books of such owner with respect to such matters;

(h) The foregoing covenants shall run with the land.

2. The local legislative body of the municipality shall have power to impose additional terms and conditions precedent to making such loans.

§ 214-a. Rent control; tax exemption. 1. Notwithstanding the provisions of the emergency housing rent control law and the regulations promulgated pursuant thereto, so long as the rents for any housing accommodations in any multiple dwelling aided by a loan pursuant to this article remain subject to control by the agency, (1) the maximum rents for such housing accommodations shall be those prescribed by the agency pursuant to the provisions of this article; and (2) where the maximum rents for such accommodations, if the provisions of this article were not applicable, would be prescribed by the provisions of the emergency housing rent control law and such regulations, the provisions of the emergency housing rent control law with respect to evictions, and the provisions of such regulations with respect to evictions, and no other provisions of such law and regulations, shall apply to such accommodations. However, upon the expiration of such rent control by the agency pursuant to this article, such housing accommodations in such dwelling, if they would have been fully subject to the provisions of the emergency housing rent control law and such regulations immediately prior to such expiration, if not subject to the provisions of this article, shall again be subject to the provisions of the emergency housing rent control law and such regulations to the same extent and in the same manner as if such accommodations had not been subject to the provisions of this article, except that with respect to any such accommodations again subject to the provisions of the emergency housing rent control law and such regulations, the maximum rent therefor in effect pursuant to the provisions of this article at the time of such expiration, shall be the maximum rent for such accommodations under the emergency housing rent control law and regulations, subject to adjustment pursuant to such law and regulations, giving due regard to

all the equities.

2. The municipality may, by local law, provide for exemption from taxation of any increase in valuation resulting from the installation, alterations or improvements performed with the aid of such loans or for abatement of taxation on such property, including the land, or for both such exemption and abatement, to the same extent, for the same period, and under the same terms and conditions as such exemption or abatement, or both, may be provided by local law enacted under the terms of any currently effective statute authorizing the granting of tax exemption or tax abatement, or both, in aid of the rehabilitation, alteration or improvement of multiple dwellings or the elimination of unhealthful or dangerous conditions therein. Notwithstanding any contrary provisions of any general, special or local law, a property aided by a loan pursuant to this article shall not be ineligible for tax exemption or tax abatement or both, as provided by local law enacted pursuant to statute, solely because such property is not subject to control of rents under the emergency housing rent control law, but such tax exemption and tax abatement shall terminate if and when such property is subject to control of rents neither under the emergency housing rent control law or this article.

§ 215. Rules and regulations. An agency may promulgate supplementary rules and regulations to carry out the provisions of this article, not inconsistent with the provisions of this article.

ARTICLE X-B

WAR DEMOBILIZATION EMERGENCY HOUSING

Section 219-a. Policy of state and purpose of article.

219-b. Definitions.

219-c. Additional powers of certain authorities.

219-d. Additional powers of certain cities.

219-e. Suspension of building restrictions.

219-f. Disposition of emergency projects.

219-g. Limitations.

219-h. Tax exemptions.

219-i. Miscellaneous.

§ 219-a. Policy of state and purpose of article. It is hereby declared that there exists within the state, and particularly within certain cities thereof, an acute shortage of housing; that low income inhabitants of the state, and particularly demobilized servicemen of world war II and their families, as well as the families of servicemen still serving within the military and naval forces of the United States, are unable to obtain adequate, safe and sanitary dwelling accommodations within their financial reach; that this condition is a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of the state; that this condition has reached the stage of an acute emergency which cannot be adequately and immediately alleviated by the normal processes of construction of permanent housing and the construction of permanent public housing projects in connection with slum clearance, and that immediate mitigation is required by such emergency means as are available; that this condition requires that provision be made for public emergency housing as hereinafter provided; that this condition requires that certain cities and authorities be authorized to cooperate and enter into agreements with a government and with each other to the end that emergency housing may be obtained as expeditiously as possible; that this condition requires the temporary suspension of various normal restrictions, prohibitions, limitations and procedures to the end that emergency housing may be supplied with the least possible delay; that the acquisition, construction, management, operation, and disposition of such emergency housing and the real and personal property and other facilities necessary, incidental or appurtenant thereto is a public use for which public money may be spent, private property acquired, and tax exemption granted; and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

§ 219-b. Definitions. Notwithstanding the provisions of any other article of this chapter the following terms, whenever used or referred

to in this article, shall have the following meanings, unless a different meaning clearly appears from the context:

1. The term "emergency project" means a specific work or improvement, including lands, buildings and improvements, acquired, constructed, altered, renovated, or reused to provide emergency dwelling accommodations for eligible tenants, as hereafter defined in this section, together with such social, recreational, communal or other non-housing facilities as may be deemed by the authority or city or government undertaking such project to be incidental or appurtenant thereto. Emergency projects as defined herein shall be deemed to constitute low rent housing within the meaning of article eighteen of the constitution and shall be deemed to be in conformity with a plan or undertaking for the clearance, replanning and reconstruction or rehabilitation of a substandard and insanitary area and for recreational and other facilities incidental or appurtenant thereto.

2. The term "eligible tenant" means: (a) distressed families of servicemen; (b) distressed veterans and their families; (c) distressed single servicemen and veterans; and (d) other distressed persons or families of low income. The term "servicemen" shall include any person who is serving, and the term "veterans" shall include any person who has served during world war II, under conditions other than dishonorable, in the military or naval forces or the merchant marine of the United States. Persons and families who are without adequate housing because of eviction or inadequate income or for other reasons, or are affected by unusual hardships, and are unable to find adequate housing within their financial reach shall be deemed to be distressed. Eligible tenants as defined herein shall be deemed to be persons of low income within the meaning of article eighteen of the constitution. Subject to the terms of any contract with a government, an authority shall have the power to select eligible tenants for emergency projects.

§ 219-c. Additional powers of certain authorities. An authority operating in a city having more than one million inhabitants shall have the following powers in addition to the other powers granted by this

chapter:

1. Prepare or arrange for preparation of plans for, acquire, construct, lease, carry out, manage, operate and dispose of emergency projects, and with regard to emergency projects shall have and exercise, except as in this article otherwise expressly provided, all the powers, rights and privileges granted to an authority under this chapter in reference to any project of an authority, but without regard to the limitations prescribed by sections ninety-seven, one hundred fifty, one hundred fifty-one, one hundred fifty-five, and one hundred fifty-six of this chapter.

2. Act as agent for, or enter into contracts and otherwise cooperate with a government in connection with emergency projects.

3. Issue bonds and notes for the purposes of this article in accordance with the powers granted under article three of this chapter, except that such bonds may be issued for periods not exceeding the probable life of the emergency project for which they are issued, which probable life is hereby determined to be ten years. The powers granted by this section shall include the power of such authority to issue its bonds or notes to finance all or any part of the development and operation of emergency projects which a city has undertaken by contract with a government, and as to which the authority will act as agent or lessee for the city, notwithstanding that the city agrees to reimburse the authority for all or any part of the development and operation of the emergency project.

4. Issue refunding bonds for the purpose of paying or retiring bonds previously issued by it for emergency projects but no such refunding bonds shall have a maturity date later than the end of the probable life of the emergency project for which they are issued.

§ 219-d. Additional powers of certain cities. A city having more than one million inhabitants shall have the following powers in addition to the other powers granted by this chapter:

1. Undertake one or more emergency projects and for that purpose such city shall have the rights, powers and privileges and shall be subject to the duties and obligations granted to or imposed upon authorities with respect to such projects by the provisions of this article.

2. Such city shall have the power to designate or appoint an authority as its agent to acquire, construct, lease, manage, operate or dispose of, in the name of the authority or in the name of the city, one or more emergency projects. When acting as the agent of a city, either in its own name or in the name of the city, an authority shall be governed by the provisions of this article and of such other laws, not inconsistent with this article, as govern the conduct of authorities, and shall not be governed by the laws, local laws, ordinances, rules, and regulations governing the conduct of cities.

3. A city may render and provide or contract to render and provide services and facilities in connection with an emergency project in accordance with the provisions of section ninety-nine of this chapter.

4. To effectuate any of the purposes of this article such city may: (a) incur indebtedness; (b) issue and sell its bonds for periods not exceeding the probable life of the project for which they are issued; (c) issue refunding bonds for the purpose of paying or retiring bonds previously issued by it for emergency projects but no such refunding bonds shall have a maturity date later than the end of the probable life of the emergency project for which they are issued; (d) make or contract to make loans to an authority operating within the territorial limits of such city; (e) make or contract to make to such authority capital subsidies or periodic subsidies for a period not exceeding the probable life of the project; (f) guarantee the principal of and interest on, or only the interest on, indebtedness contracted by such authority; (g) and, unless otherwise expressly limited by this article, exercise all the powers, rights and privileges granted to municipalities by this chapter. The probable life of an emergency project undertaken by such city is hereby determined to be ten years.

5. Such city may at any time and without regard to any restrictions, procedures or time limitations contained in its charter or in other laws, local laws, rules or ordinances governing the appropriation of its funds, appropriate for the purposes of this article, from its general fund or from such other funds as are available for the current expenses of such city, such sums as it may deem necessary and feasible to effectuate the purposes of this article; provided that such city shall, at least two days prior to the meeting of the local legislative body at which any appropriation made hereunder is acted upon, cause to be published in the official publication of such city a notice that such appropriation will be made, and shall, within twenty days after such meeting, cause to be similarly published a notice that such appropriation has been made.

6. Such city may enter into contracts for the demolition, excavation, construction, alteration, and renovation of, or for the purchase of materials and supplies for, an emergency project without regard to the requirements for advertising of or invitation for bids or for the making of awards contained in any general, special or local law, charter, ordinance, rule or regulation.

7. When an authority acts as agent or lessee for a city in the acquisition, construction, management, operation or disposition of an emergency project, the city shall have the power to indemnify or contract to indemnify such authority against any deficit, loss or liability arising therefrom.

8. Notwithstanding the provisions of any general, special or local law, any contract made, indebtedness incurred, appropriation made, or action taken by a city, provided there is compliance with the provisions of this article, shall be sufficiently and finally authorized if it is approved by the local legislative body of the city.

*** § 219-e. Suspension of building restrictions.** 1. The provisions of the multiple dwelling law and of any other law, charter, administrative code, building law, local law, ordinance, rule or regulation pertaining

to the construction, maintenance, use and occupation of housing accommodations and incidental facilities, as well as the provisions of any general, special or local law, rule or regulation pertaining to the planning and zoning of buildings, shall not apply to the construction by a government or authority of an emergency project, and shall be suspended with respect to the maintenance, use and occupation thereof, and the equipment and fixtures contained therein, as long as such project is operated by a government or authority for the purpose of providing emergency housing, or by an educational institution to which the rights and interest of the United States have been, or shall hereafter be, relinquished and transferred pursuant to the provisions of chapter six hundred eighty-eight, public law seven hundred ninety-six of the eightieth Congress (section fifteen hundred seventy-five of title forty-two, U. S. code) or any amendment thereto, for the purpose of providing emergency housing. Any provision of general, special, or local law or any rule or regulation requiring the issuance of a certificate of occupancy or other form of license or permit, as a condition to the occupancy of any building, shall likewise be suspended with regard to emergency projects.

2. The provisions of this section shall remain in effect during the period of the housing emergency and the acute shortage of housing accommodations but in no event beyond July first, nineteen hundred fifty-four.

* NB Expired July 1, 1954 by its own terms

§ 219-f. Disposition of emergency projects. Each emergency project shall be removed and disposed of as soon as practicable after the city in which the project is located determines that the emergency declared in this article has ended, but in no event beyond July first, nineteen hundred fifty-four, and provided that an authority or city may contract with the federal government or with an agency or instrumentality thereof for such termination date for occupancy, removal and disposition of an emergency project, and upon such terms, as the federal government or its agency or instrumentality may require.

§ 219-g. Limitations. An authority or city shall not initiate an emergency project after July first, nineteen hundred fifty nor unless it shall find (which finding shall be conclusive in any suit, action or proceeding) that within its territorial jurisdiction, there is a shortage of adequate, safe and sanitary dwellings for eligible tenants which impedes the orderly demobilization of the war effort and that such dwellings would not otherwise be provided when needed for eligible tenants.

§ 219-h. Tax exemptions. The provisions of subdivisions one, two and three of section fifty-two of this chapter shall apply with equal force and effect to emergency projects so long as such projects are controlled by an authority or a city, provided, however, that any bonds, notes or other obligations or evidences of indebtedness issued by an authority or a city shall at all times be exempt from all taxation by the state or any subdivision thereof.

§ 219-i. Miscellaneous. 1. All actions taken, contracts or commitments made, appropriations made, indebtedness incurred, all bonds or other obligations heretofore issued, including any guarantees thereof, and the proceedings authorizing the issuance thereof, and all things done by or between an authority, city, or government, prior to the enactment of this article and subsequent to January first, nineteen hundred forty-six, and for the purposes provided in this article, are hereby ratified, confirmed and approved and are hereby validated in all respects.

2. To the extent that the provisions of this article are inconsistent with the provisions of any other article of this chapter or with the provisions of any general, special or local law or charter, the provisions of this article shall be controlling.

3. If any clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid,

such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

4. Before a city or an authority enters, without public advertisement for sealed bids, into a contract which but for the provisions of this article would be required by general, special or local law to be made on sealed bids invited by public advertisement, such city or authority shall obtain the approval of the mayor or deputy mayor of the city. Within twenty days after the execution of such contract, it shall cause to be published in the official publication of the city a notice that such contract has been let and the name of the contractor.

ARTICLE XI MISCELLANEOUS

Section 220. Construction.

221. Separability clause.

222. Application of other laws.

223. Prohibition against discrimination.

223-a. Discrimination against persons who have certain household pets.

223-b. Discrimination against a person who is deaf or hard of hearing who has a hearing dog.

224. Pending actions or proceedings.

225. Saving clause.

226. Transfer of records.

227. Laws repealed.

228. When to take effect.

§ 220. Construction. This chapter shall be construed liberally to effectuate the purposes hereof, and the enumeration of specific powers in this chapter shall not operate to restrict the meaning of any general grant of power contained in this chapter or to exclude other powers comprehended in such general grant. In construing this chapter

consideration shall be given to its purpose and intent, among others, to empower an authority to do any and all things necessary to secure the financial aid of the United States Housing Authority and the state of New York, or any department, agency or instrumentality of the federal or state government, in the undertaking, planning, construction, maintenance and operation of any project.

§ 221. Separability clause. If any clause, sentence, paragraph, section or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 222. Application of other laws. For the purposes of the application of the lien law, the general corporation law, and except as in this chapter otherwise provided, for the purposes of the application of any general, special or local law imposing a tax, an authority shall be deemed a municipal corporation. The term "public corporation" used in the lien law shall be deemed to include an authority. The term "public improvement" used in the lien law shall be deemed to include an improvement upon real property belonging to an authority and the term "public contract" in such law shall be deemed to include contracts made by the authority; the secretary of the authority shall, for the purposes of the lien law be deemed to be the financial officer of the authority and the officer of the department, bureau, subdivision or commission having charge of the construction of an improvement and being charged with the custody and disbursement of the funds applicable to the public contract or public improvement under, upon or for which goods or materials are furnished or work was done.

§ 223. Prohibition against discrimination. For all the purposes of this chapter, no person shall, because of race, creed, color or national

origin, be subjected to any discrimination.

§ 223-a. Discrimination against persons who have certain household pets. No person who has been adjudged to be legally blind or who is a severely physically handicapped person or who is a mute shall be denied occupancy in a dwelling in any project or be subjected to eviction from any such dwelling on the sole ground that such person owns a dog or cat which will or does reside with such person therein, provided, however, that if after occupancy a health hazard results on account of such dog or cat, the public health officer having jurisdiction may take such corrective measures as are appropriate.

§ 223-b. Discrimination against a person who is deaf or hard of hearing who has a hearing dog. No person who is deaf or hard of hearing shall be denied occupancy in a dwelling in any project or be subjected to eviction from any such dwelling on the sole ground that such person owns a hearing dog as defined in section forty-seven-b of the civil rights law, provided, however, that if after occupancy a health hazard results on account of such dog, the public health officer having jurisdiction may take such corrective measures as may be appropriate.

§ 224. Pending actions or proceedings. This chapter or anything therein contained shall not affect or abate any actions, proceedings, civil or criminal, pending at the time when this chapter shall take effect, brought by, for or against the state, the state board of housing, any municipality, authority or limited-dividend housing corporation, under or in pursuance of the provisions of the laws repealed by this chapter; but all such actions or proceedings may be continued, prosecuted, conducted and completed notwithstanding that functions, powers and duties of any agency, officer or party thereto may by this chapter be assigned or transferred to another agency or officer and as if such laws were not repealed but continued to be fully effective.

§ 225. Saving clause. The repeal of the laws as specified in section two hundred twenty-seven and any other provisions of this chapter, shall not affect or impair any contract or remedy, or any act done or any right accruing, accrued or acquired, taxes, tax obligations, or exemptions from taxation, the validity of or rights as to taxes collected or proceeds thereof or the validity as to any acts done or rights or exemptions accruing, accrued or acquired under any tax laws, general, local or special, or any penalty, forfeiture or punishment under or by virtue of the laws so repealed and in existence prior to the time when this chapter or any section thereof takes effect, but the same may be asserted, enforced, prosecuted or inflicted and for such purposes all of the laws specified in section two hundred twenty-seven are hereby continued in full force and effect.

§ 226. Transfer of records. The division of housing in the executive department is hereby continued. Notwithstanding the provisions of the state housing law, the term of office of all members of the state housing board in existence prior to the enactment of this chapter and of officers and employees of such board shall expire on July first, nineteen hundred thirty-nine. All of the files, papers, documents and property of the state housing board in existence prior to the enactment of this chapter shall be transferred to the commissioner.

§ 227. Laws repealed. Of the laws enumerated in the schedule hereto annexed, that portion specified in the last column is hereby repealed, except as provided in sections one hundred ninety-three and two hundred twenty-five.

Laws of	Chapter	Sections
1926	823	All
1927	35	All
1928	722	All
1930	872	All
1931	557	All
1931	558	All

1932	507	All
1933	802	All
1934	4	All
1934	540	All
1935	310	All
1937	207	All
1937	738	All
1938	218	All
1938	270	All
1938	395	All
1938	461	All
1938	489	All

§ 228. When to take effect. This act shall take effect July first, nineteen hundred thirty-nine.

ARTICLE XII

PUBLIC HOUSING DRUG ELIMINATION PILOT PROGRAM

Section 301. Short title.

302. Legislative findings.

303. Authority to make grants.

304. Eligible activities.

305. Applications.

306. Definitions.

§ 301. Short title. This act shall be known and may be cited as the "public housing drug elimination act".

§ 302. Legislative findings. The legislature finds that:

(1) the state has a duty to provide public housing that is decent, safe, and free from illegal drugs;

(2) public housing projects in many areas suffer from rampant drug-related crime;

(3) drug dealers are increasingly imposing a reign of terror on public housing tenants;

(4) the increase in drug-related crime not only leads to murders, muggings, and other forms of violence against tenants, but also to a deterioration of the physical environment that requires substantial government expenditures; and

(5) local law enforcement authorities often lack the resources to deal with the drug problem in public housing particularly in light of the recent reductions in federal aid to cities.

§ 303. Authority to make grants. The commissioner, in accordance with the provisions of this article, may make grants to public housing authorities or agencies for use in eliminating drug-related crime in public housing projects.

§ 304. Eligible activities. A public housing authority or agency may use a grant under this article for:

(1) the employment of security personnel in public housing projects;

(2) reimbursement of local law enforcement agencies for additional security and protective services for public housing projects;

(3) physical improvements in public housing projects which are specifically designed to enhance security;

(4) the employment of one or more individuals:

(a) to investigate drug-related crime on or about the real property comprising any public housing project; and

(b) to provide evidence relating to any such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary public housing tenant patrols acting in cooperation with local law enforcement officials;

(6) innovative programs designed to reduce use of drugs in and around public housing projects; and

(7) providing funding to nonprofit public housing resident management corporations and tenant councils to develop security and drug abuse prevention programs involving site residents.

§ 305. Applications. (1) To receive a grant under this article, a public housing authority or agency shall submit an application to the commissioner at such time, in such manner, and accompanied by such additional information as the commissioner may reasonably require. Such application shall include a plan for addressing the problem of drug-related crime on the premises of public housing projects administered by the public authority or agency.

(2) The commissioner shall approve applications under this article based upon:

(a) the extent of the crime problem in the facilities of the public housing project;

(b) the quality of the plan of the public housing authority or agency to address crime in public housing projects;

(c) the capability of the public housing authority or agency to carry out the plan; and

(d) the extent to which the local government and local community support the anti-crime activities of the public housing authority or agency.

§ 306. Definitions. For purposes of this article, the following terms shall have the following meanings:

(1) "Controlled substance" shall have the same meaning given such term in section thirty-three hundred six of the public health law.

(2) "Drug-related crime" shall mean the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, a controlled substance.

ARTICLE XIII

MUNICIPAL HOUSING AUTHORITIES, CREATED

- | | | |
|-------|----|---|
| Title | 1. | New York City Housing Authority (§§ 400--402-h). |
| | 2. | Buffalo Municipal Housing Authority (§§ 403-404). |
| | 3. | Schenectady Municipal Housing Authority (§§ 405-406). |
| | 4. | New Rochelle Municipal Housing Authority (§ 407). |

5. Freeport Housing Authority (§ 408).
6. Hempstead Housing Authority (§ 409).
7. Rockville Centre Housing Authority (§ 410).
8. North Tonawanda Housing Authority (§ 411).
9. Tonawanda Housing Authority (§ 412).
10. Elmira Housing Authority (§ 413).
11. Port Chester Housing Authority (§ 414).
12. Niagara Falls Housing Authority (§ 415).
13. Rotterdam Municipal Housing Authority (§ 416).
14. North Hempstead Housing Authority (§ 417).
15. Town of Tonawanda Housing Authority (§ 418).
16. Mount Vernon Housing Authority (§ 419).
17. Cheektowaga Housing Authority (§ 420).
18. Troy Housing Authority (§ 421).
19. White Plains Housing Authority (§ 422).
20. Oswego Housing Authority (§ 423).
21. Fort Edward Housing Authority (§ 424).
22. Binghamton Housing Authority (§ 425).
23. Albany Housing Authority (§ 426).
24. Corning Housing Authority (§ 427).
25. Amsterdam Housing Authority (§ 428).
26. Ithaca Housing Authority (§ 429).
27. Fulton Housing Authority (§ 430).
28. Rome Housing Authority (§ 431).
29. Long Beach Housing Authority (§ 432).
30. Johnson City Housing Authority (§ 433).
31. Kingston Housing Authority (§ 434).
32. Massena Housing Authority (§ 435).
33. Auburn Housing Authority (§ 436).
34. Poughkeepsie Housing Authority (§ 437).
35. Watertown Housing Authority (§ 438).
36. Mechanicville Housing Authority (§ 439).
37. Ogdensburg Housing Authority (§ 440).
38. Jamestown Housing Authority (§ 441).
39. Orangetown Housing Authority (§ 442).
40. Herkimer Housing Authority (§ 443).
41. Glen Cove Housing Authority (§ 444).

42. Plattsburgh Housing Authority (§ 445).
43. Little Falls Housing Authority (§ 446).
44. Cortland Housing Authority (§ 447).
45. Cohoes Housing Authority (§ 448).
46. Niagara Housing Authority (§ 449).
47. Saratoga Springs Housing Authority (§ 450).
48. Rensselaer Housing Authority (§ 451).
49. North Tarrytown Housing Authority (§ 452).
50. Newburgh Housing Authority (§ 453).
51. Ossining Housing Authority (§ 454).
52. Rye Housing Authority (§ 455).
53. Salamanca Housing Authority (§ 456).
54. Greenburgh Housing Authority (§ 457).
55. Mount Kisco Housing Authority (§§ 458--458-a).
56. Watervliet Housing Authority (§ 459).
57. Village of Catskill Housing Authority (§ 460).
58. Middletown Housing Authority (§ 461).
59. Village of Goshen Housing Authority (§ 462).
60. Rochester Housing Authority (§ 463).
61. Geneva Housing Authority (§ 464).
62. Canandaigua Housing Authority (§ 465).
63. Town of Southampton Housing Authority (§ 466).
64. Mamaroneck Housing Authority (§ 467).
65. Town of Islip Housing Authority (§ 468).
66. Village of Nyack Housing Authority (§ 469).
67. Village of Monticello Housing Authority (§ 470).
68. Town of Wilna Housing Authority (§ 471).
69. Town of Huntington Housing Authority (§ 472).
71. Village of Spring Valley Housing Authority (§ 474).
72. Village of Sloatsburg Housing Authority (§ 475).
73. Gloversville Housing Authority (§ 476).
74. City of Beacon Housing Authority (§ 477).
76. Town of Hempstead Housing Authority (§ 479).
77. Town of Oyster Bay Housing Authority (§ 480).
78. City of Batavia Housing Authority (§ 481).
79. Village of Ilion Housing Authority (§ 482).
80. City of Dunkirk Housing Authority (§ 483).

81. City of Hudson Housing Authority (§ 484).
82. Village of Pawling Housing Authority (§ 485).
83. City of Glens Falls Housing Authority (§ 486).
84. City of Norwich Housing Authority (§ 487).
85. Village of Greenport Housing Authority (§ 488).
86. Town of Wallkill Housing Authority (§ 489).
87. City of Hornell Housing Authority (§ 490).
88. Village of Woodridge Housing Authority (§ 491).
89. Town of Fallsburg Housing Authority (§ 492).
90. Village of Malone Housing Authority (§ 493).
91. Village of Coxsackie Housing Authority (§ 494).
92. Village of South Nyack Housing Authority (§ 495).
93. Town of Harrietstown Housing Authority (§ 496).
94. Village of Tupper Lake Housing Authority (§ 497).
- 94*. Village of Gouverneur Housing Authority (§ 497*2).
- 94**. Village of Waddington Housing Authority (§ 497*3).
95. Town of Albion Housing Authority (§ 498).
96. Town of Ramapo Housing Authority (§ 499).
97. City of Oneonta Housing Authority (§ 500).
98. Yorktown Housing Authority (§ 501).
99. City of Lockport Housing Authority (§ 502).
100. Village of Liberty Housing Authority (§ 503).
101. Village of Green Island Housing Authority (§ 504).
102. Town of Greece Housing Authority (§ 505).
- 102*. City of Oneida Housing Authority (§ 505*2).
- 102**. Village of Potsdam Housing Authority (§ 505*3).
103. Town of Queensbury Housing Authority (§ 506).
104. Village of Boonville Housing Authority (§ 507).
- 104-a. Palmyra Housing Authority (§ 508).
- 104-B. Village of Lowville Housing Authority (§ 509).
- 104-C. Village of Clayton Housing Authority (§ 509-a).
- 104-D. Village of Le Roy Housing Authority (§ 509-d).
- 104-E. Village of Painted Post Housing Authority (§ 509-c).
- 104-F. Town of Erwin Housing Authority (§ 509-d*2).
105. Village of Ellenville Housing Authority (§ 510).
106. Newark Housing Authority (§ 511).
107. Village of Warwick Housing Authority (§ 512).

108. Town of North Elba Housing Authority (§ 513).
109. Village of Lake Placid Housing Authority (§ 514).
110. Village of St. Johnsville Housing Authority (§ 515).
111. Village of East Rochester Housing Authority (§ 516).
112. Village of Lynbrook Housing Authority (§ 517).
113. Elmira Heights Housing Authority (§ 518).
114. Village of Groton Housing Authority (§ 519).
115. Village of Canton Housing Authority (§ 520).
116. Port Jervis Housing Authority (§ 521).
117. Village of Webster Housing Authority (§ 522).
118. City of Olean Housing Authority (§ 523).
119. Town of Islip Housing Authority (§ 524).
120. Village of Kenmore Housing Authority (§ 525).
121. Village of Heuvelton Housing Authority (§ 526).
122. Village of Elizabethtown Housing Authority (§ 527).
123. Village of Rensselaer Falls Housing Authority (§ 528).
125. Village of Island Park Housing Authority (§ 530).
126. Village of Montour Falls Housing Authority (§ 531).
127. Village of Chittenango Housing Authority (§ 532).
- 127*. Town of Norfolk Housing Authority (§ 532*2).
128. Town of Hoosick Housing Authority (§ 533).
- 128*. Town of Wheatfield Housing Authority (§ 533*).
129. Fredonia Housing Authority (§ 534).
130. Town of Warwick Housing Authority (§ 535).
- 130*. Village of North Syracuse Housing Authority (§ 535*2).
132. Canajoharie Housing Authority (§ 537).
133. Town of DeKalb Housing Authority (§ 538).
134. Town of Hermon Housing Authority (§ 539).
135. Village of Bath Housing Authority (§ 540).
136. Village of Dolgeville Housing Authority (§ 541).
137. Village of Oriskany Falls Housing Authority (§ 542).
138. Village of Alexandria Bay Housing Authority (§ 543).
- 138-A Village of Skaneateles Housing Authority (§ 543-a).
139. Village of Lancaster Housing Authority (§ 544).
140. Village of Philmont Housing Authority (§ 545).
141. Town of Ticonderoga Housing Authority (§ 546).
142. Town of Lansing Housing Authority (§ 547).

- 143*. Village of East Syracuse Authority (§ 548).
- 143*. Village of Canastota Housing Authority (§ 548).
- 144. Village of Kiryas Joel Housing Authority (§ 549).
- 145*. Village of West Winfield Housing Authority (§ 550).
- 145*. Town of Edwards Housing Authority (§ 550).
- 146. Village of Sackets Harbor Housing Authority (§ 551).
- 147. Village of Watkins Glen Housing Authority (§ 552).
- 148. Village of Horseheads Housing Authority (§ 553).
- 150. Village of Great Neck Housing Authority (§ 555).
- 150*. Village of New Square Housing Authority (§ 555*2).
- 151. Village of Frankfort Housing Authority (§ 556).
- 152. Village of Solvay Housing Authority (§ 557).
- 153. Town of Fowler Housing Authority (§ 558).
- 154. Village of Philadelphia Housing Authority (§ 559).
- 155. City of Sherrill Housing Authority (§ 560).
- 156. Town of Marion Housing Authority (§ 561).
- 157. Town of Cambria Housing Authority (§ 562).
- 158. Town of East Hampton Housing Authority (§ 563).
- 159. Town of Camillus Housing Authority (§ 564).
- 160. Town of Lisbon Housing Authority (§ 565).
- 161. Town of Union Housing Authority (§ 566).
- 162. Village of Jordan Housing Authority (§ 567).
- 162*. Village of Liverpool Housing Authority (§ 567*2)
- 163. Town of Goshen Housing Authority (§ 568).
- 163*. Village of Kaser Housing Authority (§ 568*2).
- 164. Town of Mamaroneck Housing Authority (§ 569).
- 164*. Town of Tully Housing Authority (§ 569*2).
- 165. Village of Scotia Housing Authority (§ 570).
- 166. Town of Patterson Housing Authority (§ 571).
- 167. Town of Allegany Housing Authority (§ 572).
- 168. Town of Southampton Housing Authority (§ 573).
- 169. Village of Elbridge Housing Authority (§ 574).
- 170. Town of Glenville Housing Authority (§ 575).

TITLE 1

NEW YORK CITY HOUSING AUTHORITY

- Section 400. Validation.
- 401. New York City Housing Authority.
 - 402. Special provisions with respect to the New York City Housing Authority.
 - 402-a. Defense and indemnification in civil actions against employees of the New York city housing authority.
 - 402-b. Power of authority to enter into mixed-finance transactions to continue viability of public housing.
 - 402-c. Notice upon denial of request.
 - 402-c*2. Notice of pre-termination meeting.
 - 402-d. (Enacted without section heading).
 - 402-e. Disruption of vital services.
 - 402-f. Searchable ticket database.
 - 402-g. Contracting with minority and women owned enterprises and small businesses.
 - 402-h. Succession rights.

§ 400. Validation. The creation and establishment of the New York City Housing Authority under the provisions of article five of the former state housing law, together with all proceedings, acts and things undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any want of statutory authority or any defect or irregularity in such acts or proceedings.

§ 401. New York City Housing Authority. The New York City Housing Authority is hereby constituted and declared to be a body corporate and politic with all the powers, rights and duties set forth in article five of the former state housing law.

§ 402. Special provisions with respect to the New York City Housing Authority. 1. It is hereby found and declared, as a result of investigation and study, that enactment of the provisions hereinafter set forth is necessary for reorganization of the authority to enable it

to (a) institute improved management procedures; (b) bring about more efficient methods of maintenance and supervision of projects; (c) foster prompt and sound solution of problems relating to occupancy of projects; (d) undertake administration of personnel in consonance with the size and scope of the authority's functions. It is further found and declared that private enterprise should be encouraged to the greatest extent possible to enter the field of housing in which the authority now operates so that the authority may be able to concentrate its activities at the earliest possible moment on providing housing exclusively for the lower income families.

2. Notwithstanding any provisions to the contrary contained in this chapter, or any general, special or local law, the provisions of this section shall govern the number, appointment, removal and compensation of the members of the New York City Housing Authority.

3. The authority shall consist of seven members appointed by the mayor, one of whom shall be designated by the mayor as chairman removable at his or her pleasure. The term of office of each member other than the chairman shall be three years, provided, however, that the initial appointments of the six members other than the chairman shall be as follows: two shall be appointed for one-year terms, two shall be appointed for two-year terms, and two shall be appointed for three-year terms. The mayor shall file with the commissioner of housing a certificate of appointment of the chairman and of each member. Any member other than the chairman may be removed by the mayor upon filing in the office of the commissioner of citywide administrative services and serving upon the member the reasons therefor. Such document setting forth the reasons shall be made available to the general public, which shall include but not be limited to publishing the reasons on the New York city housing authority's website. Three of such members shall be a tenant of record or an authorized member of the tenant household, in good standing, residing in one of the federal projects owned or operated by the authority, provided, however, that for the initial appointments of the three such members, one shall be among the members initially appointed for one-year terms, one shall be among the members initially appointed for two-year terms, and one shall be among the members

initially appointed for three-year terms. A vacancy in the office of a member other than the chairman occurring otherwise than by expiration of term shall be filled for the unexpired term. Further, any vacancy in the office of a tenant member shall only be filled by the appointment of an eligible tenant member, and such appointment shall be made within ninety days of such vacancy.

4. The chairman shall give his or her whole time to his or her duties and shall not engage in any other occupation, profession or employment. The chairman shall receive a salary the amount of which shall be fixed by local law. The other members of the authority shall receive a stipend in the amount of two hundred fifty dollars for every four hours of work performed for the authority, not to exceed one thousand five hundred dollars per month.

5. Notwithstanding any provisions to the contrary contained in this chapter, or any general, special or local law, the New York city housing authority shall have the power in its discretion to provide and maintain a housing police department and a uniformed housing police force. Such department and force shall have the power and it shall be their duty, in and about housing facilities, to preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblages and assemblages which obstruct free passage; protect the rights of persons and property; guard the public health; remove all nuisances; enforce and prevent violation of all laws and ordinances; and for these purposes to arrest all persons guilty of violating any law or ordinance and shall provide for the performance, without unnecessary delay, of all recording, fingerprinting, photographing and other preliminary police duties. Appointments to such housing police force shall be made in accordance with applicable provisions of the civil service law and only persons who have never been convicted of a felony, and who are citizens of the United States shall be appointed housing patrol officers on the housing police force. Each member of such force shall be a police officer as defined by paragraph (e) of subdivision thirty-four of section 1.20 of the criminal procedure law and, while on duty, shall possess all the powers of a police officer of a city in the execution of

criminal process; and criminal process issued by any court or magistrate of a city may be directed to and executed by a member of such force.

The authority may appoint a chief and a deputy chief of the housing police department who, in the discretion of the authority, may be selected from the ranks of the housing police force, and assign powers and duties to them and fix their compensation. The chief shall be the head of such department. During the absence or disability of the chief, the deputy chief shall possess all the powers and perform all the duties of the chief. The housing police force shall consist of captains, lieutenants, sergeants and patrolmen. The authority shall maintain a division for detective purposes to be known as the detective division and may, from time to time, detail to service in said division as many members of the force as it may deem necessary, and may at any time within three years of appointment revoke any such detail or a part thereof. If the authority, in its discretion, dissolves the housing authority police department and the housing authority police force, the division for detective purposes shall also be dissolved. Any member of the force while so detailed may be granted an increase in salary above the grade established for his rank in the uniformed force, but shall retain his rank in the force and shall be eligible for promotion the same as if serving in the uniformed force, and the time during which he serves in such division shall count for all purposes as if served in his rank or grade in the uniformed force.

5-a. Receipt of line of duty pay. a. A member of the New York city housing authority police force in the rank of police officer, other than an officer who is detailed or designated as a detective or who holds the position of sergeant or any position of higher rank in such force, shall be entitled pursuant to this section to the full amount of his or her regular salary for the period of any incapacity due to illness or injury incurred in the performance and discharge of duty as a police officer, as determined by the authority.

b. A member of the New York city housing authority police force who is detailed or designated as a detective or who holds the position of sergeant or any position of higher rank in such force shall be entitled

pursuant to this section to the full amount of his or her regular salary for the period of any incapacity due to illness or injury incurred in the performance and discharge of duty as a member of the force, as determined by the authority, only in the event that a collective bargaining agreement granting such entitlement pursuant to this section has been entered into by the authority and the certified employee organization representing such member. The first entitlement of any such member of the New York city housing authority police force to the full amount of regular salary under this section shall commence on the date of execution of the collective bargaining agreement providing for such entitlement with respect to such member.

c. Nothing in this section shall be construed to affect the rights, powers and duties of the authority pursuant to any other provision of law, including, but not limited to, the right to discipline a police officer by termination, reduction of salary, or any other appropriate measure; the power to terminate an appointee who has not completed his or her probationary term; and the power to apply for ordinary or accident disability retirement for a police officer.

d. Nothing in this section shall be construed to require payment of salary to a member of the New York city housing authority police force who has been terminated, retired, suspended or otherwise separated from service by reason of death, retirement or any other cause.

e. A decision as to eligibility for benefits pursuant to this section shall not be binding on the medical board or the board of trustees of any pension fund in the determination of eligibility for an accident disability or accidental death benefit.

f. As used in this section the term "incapacity" shall mean the inability to perform full, limited, or restricted duty.

6. In addition to all other powers granted by this chapter, the New York city housing authority shall have the power to act as and be and become a "developer", as that term is defined in subdivision nine of section four hundred fifty-two of the education law, of a combined

occupancy structure, as defined in subdivision five of section four hundred fifty-two of such law, which consists of a project, as defined in this chapter, as well as of school accommodations or other facilities of the board of education of the city of New York, and to be and become an "owner", as that term is defined in subdivision fifteen-a of section four hundred fifty-two of the education law, of the non-school portion, consisting of a project as defined in this chapter, of such combined occupancy structure; and to do all things necessary or convenient to carry out such powers, including (a) construction of such combined occupancy structure as a developer pursuant to the provisions of this chapter and article ten of the education law, and conveyance or lease of the school portion thereof, and (b) as an owner, making and entering into contracts for acquisition, lease, sublease or other agreements for or with respect to the non-school portion, consisting of a project as defined in this chapter, pursuant to the provisions of article ten of the education law, and acquiring the same by transfer or conveyance to it of the fee title, or of possession under such lease, sublease or other agreement.

6-a. a. The New York city housing authority shall include with every lease or renewal lease offered to a prospective or current tenant, a separate, clear and conspicuous notice, in at least sixteen-point boldface type, concerning the tenant's ability to add additional legal occupants to the lease agreement.

b. Upon receipt of a tenant's request for a form to add an additional legal occupant to his or her lease agreement, the authority shall, within seven days, provide the tenant with clear information regarding how to apply in person or online, along with a notice informing the tenant of the right to grieve the denial of any occupancy permission request. Any form required by the authority to request such occupancy permission shall be made available for review and submission in person, on the authority's website, and through the authority's mobile application.

c. Upon receipt of a tenant's request to add an additional legal occupant to his or her lease agreement, the authority shall provide the

tenant, in writing, with confirmation of receipt of the application, information regarding how the tenant may inquire as to the status of such request, and the expected date of the authority's response to such request.

7. The authority shall have the power, which shall be in addition to its other powers under this chapter, to adopt rules and regulations relating to the parking, stopping or standing of a motor vehicle within the interior paths, roads, or grounds of its public housing projects. A violation of such rules and regulations shall constitute a "traffic infraction" as defined in the vehicle and traffic law, and such violation shall be heard and tried by the parking violations bureau established and created under and pursuant to title A of chapter forty of the administrative code of the city of New York, as added by chapter one thousand seventy-five of the laws of nineteen hundred sixty-nine. Such rules and regulations shall not be effective until filed as required by section fifty-four of this chapter and, in addition, until filed with the clerk of the municipality in which the principal office of the authority is located. The authority shall post appropriate signs in specific locations within a project as to the rules and regulations governing the parking, stopping or standing of motor vehicles at such locations.

8. All provisions of this chapter applicable to the New York City Housing Authority and not inconsistent with the provisions of this section shall continue to apply to such authority.

9. The chairman shall ensure that at every meeting of the authority the public shall be allotted a period of time, not less than thirty minutes, to speak on any topic on the agenda.

10. Notwithstanding any other provision of law to the contrary, upon the vacancy of a dwelling unit in any project operated by the authority, such vacant dwelling unit on a lower floor shall first be made available for occupancy to a current New York city housing authority household, containing an authorized member of the household with a disability, as defined by subdivision twenty-one of section two hundred ninety-two of

the executive law, that affects mobility and based on either the tenant's preference to move to a first-or-second-floor unit and to remain within their project or to transfer elsewhere, and based on the tenant's position on the authority's transfer waiting list; or to provide reasonable accommodation to a current New York city housing authority household, containing an authorized member of the household with a disability, as defined by subdivision twenty-one of section two hundred ninety-two of the executive law, that affects mobility to transfer to a lower floor within their project or to a lower floor elsewhere, if the request is supported by medical documentation, and based on the tenant's position on the authority's transfer waiting list. The New York city housing authority may give higher preference to individuals requiring an emergency transfer because their units have become uninhabitable.

11. Except where such exclusion is required pursuant to any federal law or rule or regulation, no person shall be denied occupancy in a dwelling in any project or be subjected to eviction from any such dwelling on the sole ground that such person is a formerly incarcerated individual.

§ 402-a. Defense and indemnification in civil actions against employees of the New York city housing authority. 1. As used in this section, the term "employee" shall mean the members, including the chairman of the New York city housing authority appointed by the mayor of the city of New York, officers, employees, or a former employee, his or her estate or judicially appointed personal representative. The term "employee" shall not include an independent contractor.

2. At the request of the employee, and upon compliance by the employee with the provisions of this section, the New York city housing authority shall provide for the defense of an employee in any civil action or proceeding in any state or federal court, arising out of any alleged act or omission which the New York city housing authority finds occurred while the employee was acting within the scope of his or her public employment and in the discharge of his or her public duties and was not

in violation of any rule or regulation of the New York city housing authority at the time the alleged act or omission occurred. This duty to provide for a defense and indemnification shall not arise where such civil action or proceeding is brought by or on behalf of the New York city housing authority against the employee. A member of the New York city housing authority police force, when within the geographical limits of his or her jurisdiction, although excused from official duty at the time, for the purposes of this section, shall be deemed to be acting in the discharge of duty when engaged in the immediate and actual performance of a public duty imposed by law and such public duty performed was for the benefit of all the citizens of the community, and the New York city housing authority derived no special benefit in its corporate capacity.

3. The New York city housing authority shall indemnify and save harmless its employees in the amount of any civil judgment obtained against such employees in any state or federal court, or in the amount of any settlement of a claim approved by the New York city housing authority provided that the act or omission from which such judgment or settlement arose occurred while the employee was acting within the scope of his or her public employment and in the discharge of his or her public duties and was not in violation of any rule or regulation of the New York city housing authority at the time the alleged damages were sustained.

4. The duty to indemnify and save harmless prescribed by this section shall not arise where the injury or damage resulted from an intentional wrongdoing, or recklessness on the part of the employee.

5. Nothing in this section shall authorize the New York city housing authority to indemnify or save harmless an employee with respect to punitive or exemplary damages, fines or penalties.

6. The duty to defend and indemnify and save harmless prescribed by this section shall be conditioned upon (i) delivery by the employee to the chairman, general manager or general counsel of the New York city housing authority at the office of the New York city housing authority

of the original or a copy of any summons, complaint, claim, process, notice, demand or pleading within ten days after the employee is served with such document, and (ii) the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the New York city housing authority based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request by the employee that the New York city housing authority provide for his or her defense pursuant to this section. In the event that the New York city housing authority shall assume an employee's defense and thereafter the employee fails or refuses to cooperate in the formation or presentation of his or her defense, the court shall permit the New York city housing authority to withdraw its representation ten days after giving written notice to the employee of its intention to discontinue such representation.

7. In the event that the act or omission upon which the court proceeding against the employee is based was or is also the basis of a disciplinary proceeding by the New York city housing authority against the employee, representation and indemnification by the New York city housing authority, as set forth in this section, may be withheld (i) until such disciplinary proceeding has been resolved and (ii) unless the resolution of the disciplinary proceeding exonerated the employee as to such act or omission.

8. Subject to the conditions set forth in this section, the employee shall be entitled to representation by the general counsel of the New York city housing authority or by any attorney or attorneys designated by the general counsel, provided, however, that the employee shall be entitled to be represented by private counsel of his or her choice in any civil action or proceeding whenever the New York city housing authority determines that representation would be inappropriate, or whenever a court, upon appropriate motion or otherwise by a special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by private counsel of the employee's choice. The general counsel of the New York city housing authority shall notify the employee in writing of such determination that the employee is entitled to be represented by private counsel.

Provided, however, that the New York city housing authority may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. Reasonable attorneys' fees and litigation expenses shall be paid by the New York city housing authority to such private counsel from time to time during the pendency of the civil action or proceeding.

9. Any dispute with respect to representation of multiple employees by a single counsel or the reasonableness of attorneys' fees or the amount of litigation expenses shall be resolved by the court upon motion or by way of a special proceeding.

10. The benefits of this section shall inure only to employees as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter or repeal any provision of the workers' compensation law.

11. The provisions of this section shall not be construed in any way to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

12. Except as otherwise specifically provided in this section, the provisions of this section shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, member, officer or employee of the New York city housing authority, or any right to defense and/or indemnification provided for any member, officer or employee by, in accordance with, or by reason of, any other provision of state, federal or local law or common law.

13. Every action or proceeding instituted pursuant to the provisions of this section shall be commenced pursuant to section one hundred fifty-seven of this chapter and within one year and ninety days. No action or proceeding instituted pursuant to the provisions of this section shall be prosecuted or maintained against the New York city housing authority, or an officer or employee thereof, unless notice of

claim or demand shall have been made and served upon the New York city housing authority in compliance with section one hundred fifty-seven of this chapter and within ninety days after the claim arises.

14. If any provision of this section or the application thereof to any person or circumstance be held unconstitutional or invalid, in whole or in part by any court, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this section or the application of any such provision to any other person or circumstance.

15. The provisions of this section shall apply to the actions and proceedings set forth herein notwithstanding any inconsistent provisions of state or local law.

§ 402-b. Power of authority to enter into mixed-finance transactions to continue viability of public housing. 1. Legislative findings and declaration. The legislature finds and declares that the state has a vital interest in the continued viability of public housing. It is necessary to ensure that public housing continues to serve low-income individuals and families who would otherwise face homelessness or be forced into unsafe or unsanitary housing. Public housing functions as a safety net for persons most in need of safe, decent and affordable housing. The legislature further finds that the New York city housing authority has made, and continues to make, a concerted effort to provide public housing to individuals and families in need. Certain projects owned by the New York city housing authority have suffered deterioration over time, and the housing authority does not have sufficient resources to address this deterioration. An infusion of private capital is necessary to ensure the continued success and long term viability of these projects. The legislature further finds that bringing state financed public housing operated by the New York city housing authority within the public housing subsidized by the federal government, by utilizing the federal American Recovery and Reinvestment Act of 2009, will allow the New York city housing authority to enter into mixed finance transactions, which will result in receiving new operating and

capital subsidies from the federal government and preserve the units as public housing. The legislature also finds that tenants living in the projects that have been financed by the city of New York, commonly known as Marble Hill Houses, St. Mary's Park Houses, Bay View Houses, Boulevard Houses, Linden Houses and Samuel Houses, located in the city of New York, counties of Bronx, Kings and New York, will, through multiple contracts and agreements among the New York city housing authority, investment partners and the federal government, be afforded the same protections as tenants living in the projects listed in subdivision two of this section. The legislature therefore finds and declares that enactment of this section would enable redevelopment and rehabilitation of those certain New York state and New York city financed projects owned by the New York city housing authority, and the continued operation of said projects for persons and families of low income.

2. Upon approval by the commissioner of the division of housing and community renewal, the New York city housing authority is hereby authorized to sell or lease all or part of the residential buildings within the projects commonly known as Marlboro Houses, Chelsea Houses, Castle Hill Houses, 344 East 28th Street, Amsterdam Addition, Bushwick Houses, Stephen Wise Towers, Arthur H. Murphy Houses, Baychester Houses, Jonathan Williams Plaza, Drew-Hamilton Houses, Independence Towers, Rutgers Houses, Stapleton Houses and Manhattanville Houses, located in the city of New York, counties of Bronx, Kings, New York and Richmond, upon such terms and conditions and in such manner as the New York city housing authority may deem appropriate and in compliance with the provisions of this section. The commissioner of the division of housing and community renewal shall not grant such approval unless he or she makes a finding that such sale or lease will enable the projects to be redeveloped and operated in such manner as to provide decent, safe and sanitary housing within the financial reach of persons and families of low income and a further finding that new federal assistance is significantly more likely to be available to the projects listed in this section if such approval is granted. There shall be no requirement for a finding by the commissioner of the division of housing and community renewal that provisions have been made to pay or otherwise assure

payment or retirement of all bonds, notes and other obligations heretofore issued to finance the projects or a portion thereof, provided that the sale or lease of the projects is part of a comprehensive plan of rehabilitation and/or restructuring which includes the provision of housing for persons and families of low income. The sale or lease of all or part of the residential buildings within the projects enumerated in this section shall be made subject to all pertinent federal statutory, executive orders, consent orders and regulatory requirements, as those requirements may be amended from time to time, and contracts and agreements which shall be recorded against and which shall run with the land, including a regulatory and operating agreement and a declaration of restrictive covenants requiring the operation and maintenance of such residential projects in compliance with federal requirements, and amendments to a certain mixed-finance amendment to the consolidated annual contributions contract between the New York city housing authority and the United States department of housing and urban development (collectively, the "applicable public housing requirements").

3. (a) All applicable public housing requirements pertaining to federal public housing projects shall apply to the projects listed in subdivision two of this section, including but not limited to all procedural and substantive due process requirements, restrictions on evictions except for just cause, the right to automatic renewals of leases, and the right to meaningful input in matters concerning tenants; Section 8 units shall be subject to the voluntary conversion agreement and management plan approved by the United States department of housing and urban development on September eleventh, two thousand eight, and as it may be amended from time to time. The public housing and Section 8 leases of tenants in occupancy of the projects listed in subdivision two of this section on the date of sale or lease of such projects shall remain in effect, except as such leases may be modified or assigned to reflect changes in the ownership of project buildings. Each such tenant shall enjoy the same rights and obligations as other tenants with public housing leases occupying dwelling units in the housing projects owned and operated by the New York city housing authority that are not listed in subdivision two of this section, or pursuant to Section 8 leases

supported by Section 8 vouchers, except as provided by paragraph (b) of this subdivision. Each project owner and the New York city housing authority shall be jointly and severally obligated to provide and protect the rights set forth herein.

(b) All units in projects listed in subdivision two of this section where there has been an allocation of federal low-income housing tax credits, during the required federal regulatory compliance periods applicable to such federal low-income housing tax credits, shall upon vacancy be rented by persons or families whose income does not exceed sixty percent of area median income at a rent, including utilities, not to exceed thirty percent of the household's adjusted gross income. All other units shall upon vacancy be rented by persons or families whose income does not exceed eighty percent of area median income at a rent, including utilities, not to exceed thirty percent of the household's adjusted gross income. All income guidelines applicable to federal public housing projects shall apply to projects listed in subdivision two of this section. Each such tenant shall enjoy the same rights and obligations as other tenants with public housing leases occupying dwelling units in the housing projects owned and operated by the New York city housing authority that are not listed in subdivision two of this section, or pursuant to Section 8 leases supported by Section 8 vouchers, except as provided by this paragraph.

(c) All tenants who reside in the housing projects listed in subdivision two of this section prior to the sale or lease of such project shall be entitled to remain in their current apartments, provided that such tenant or tenants comply with the terms and conditions of their leases and meet all applicable federal income guidelines. Each such tenant shall enjoy the same rights and obligations as other tenants with public housing leases occupying dwelling units in the housing projects owned and operated by the New York city housing authority that are not listed in subdivision two of this section, or pursuant to Section 8 leases supported by Section 8 vouchers, except as provided by paragraph (b) of this subdivision.

(d) For each project listed in subdivision two of this section, all units occupied by persons of low income shall be physically integrated with all other units in the project. They shall share common means of access, services and amenities equally with all other units and shall in

no way be physically or otherwise set apart from all other units in the project.

(e) All prospective public housing and Section 8 tenants shall be selected from a waiting list which shall be maintained by the New York city housing authority in compliance with the federal public housing and Section 8 laws and all applicable rules and regulations. The New York city housing authority and each respective project owner shall screen tenants and jointly have final approval over tenant selection all in accordance with aforementioned laws, rules and regulations. All prospective public housing tenants shall be taken from the waiting list in the order in which they applied for the size appropriate unit, subject however to preferences and priorities provided for in the public housing law and all applicable rules and regulations.

(f) The entity that acts as the managing member or general partner of the respective owner of each project listed in subdivision two of this section following transfer of such project, shall at all times be a not-for-profit housing development fund corporation wholly owned by the New York city housing authority and shall be established under article eleven of the private housing finance law. The board of directors of such housing development fund corporation shall be composed of the chairperson of the New York city housing authority and the duly appointed members of such authority.

(g) The entity that owns any project or assists in the management of any project may include an entity exempt from federal income taxes under section 501(c)3 of the Internal Revenue Code of 1986 as amended, or its wholly owned subsidiary.

(h) The provisions of this section may be enforced by any party aggrieved by a violation of such provisions.

(i) In the case where there is an allocation of federal low income housing tax credits in connection with a sale or lease of the project, the fee payable to the project developer shall not exceed twelve percent of the total development cost, provided however, that the fee payable to such developer may be increased to the maximum percentage permitted under regulations promulgated by the division of housing and community renewal if the developer assumes additional financial risk. Such increase shall not be granted (i) for risk the developer is customarily required to assume or guarantees which the developer is customarily

required to provide by industry practice, (ii) for any risks or guarantees which parties other than the developer would ultimately bear, or (iii) if the cost of such risks or guarantees would be paid from governmental grants, loans, subsidies or other governmental funds. The foregoing limitation shall not apply to any portion of a developer fee paid to the housing authority.

(j) The provisions of this section shall be applicable to each of the projects delineated in subdivision two of this section commencing on the closing date of the sale or lease of each respective project in compliance with applicable law and shall be binding on all owners and operators of such project.

4. State subsidies available to the projects listed in subdivision two of this section in connection with the bonds, notes or other obligations heretofore issued to finance the cost thereof may, subject to annual appropriation and upon compliance with the provisions of this section, continue to be used to pay the debt service on such bonds, notes or other obligations, subject to such terms and conditions as the commissioner of the division of housing and community renewal may deem appropriate.

5. The New York city housing authority shall be required to develop and circulate a notice to all tenants of public housing projects listed in subdivisions one and two of this section. The notice shall contain information regarding the transfer and federalization process, as well as notice that tenants' rights to occupancy and due process shall continue as they existed prior to the transfer.

6. The New York city housing authority, shall provide the commissioner of the division of housing and community renewal, the speaker of the assembly, the temporary president of the senate, the minority leader of the assembly, the minority leader of the senate, the chair of the assembly housing committee, and the chair of the senate housing, construction, and community development committee copies of the annual project activity report or any substantially similar annual report that it is required to submit to the United States department of housing and urban development that is related to the projects listed in subdivisions

one and two of this section.

*** § 402-c. Notice upon denial of request.** The New York city housing authority shall provide a tenant, upon the denial of any request that would permit a tenant to institute a grievance procedure, with a written notice specifically articulating its reasons for such denial. Any such notice shall also inform a tenant of the right to grieve a request denial and the process by which such tenant may institute a grievance procedure.

* NB There are 2 § 402-c's

*** § 402-c. Notice of pre-termination meeting.** 1. When the New York city housing authority mails notice of a pre-termination meeting to a household having an authorized occupant over the age of sixty-two years, such authority shall include with such notice a notification that the tenant lessee has the opportunity to meet with the property manager, or his or her designee, to discuss the possible termination of tenancy. Such notice shall be mailed to such households by certified mail.

2. The property manager, or his or her designee, shall schedule the pre-termination meeting no more than seven days after the date of mailing of the notice of pre-termination meeting; provided, however, that the meeting may occur up to fourteen days after the date of mailing if so requested by a tenant lessee. Such pre-termination notice shall be mailed at least forty-five days before the date fixed for a termination of tenancy hearing before a hearing officer, except that the New York city housing authority may give not less than fifteen days notice before the date fixed for a termination of tenancy hearing before a hearing officer if the charges are based on non-desirability.

* NB There are 2 § 402-c's

§ 402-d. The governor may issue an executive order, pursuant to article two-B of the executive law and subject to the availability of a state appropriation, which shall govern the examination and remediation

of conditions, including the construction or reconstruction as may be required, of residential properties owned by the authority and the development and execution of a plan to remediate such conditions.

§ 402-e. Disruption of vital services. 1. (a) In order to ensure compliance and enforcement of the New York city housing authority's duty to provide heat, water, electricity, gas, where provided and elevator service, the New York city housing authority shall publish information regarding reported disruptions in such services, the length of such disruptions and the steps taken to restore services and shall remedy interruptions of gas service in accordance with subdivision five of this section. Starting on May first, two thousand twenty, the New York city housing authority shall publish such information on its website. For six months after the original publication date, the New York city housing authority shall retain such information on its website.

(b) When a public utility or local, state or federal agency advises the New York city housing authority that certain residents of such authority should avoid the use of water for drinking or cooking, such authority shall provide written notice, in electronic and paper form, of such advice to the indicated residents and the resident association president or other formally recognized resident leader for the indicated development as soon as practical but no later than twenty-four hours after such authority has received such advice.

1-a. The New York city housing authority shall establish appropriate measures, procedures, and guidelines, such as contract requirements and enforcement mechanisms, to ensure that all of its contractors and subcontractors, when collecting or examining water samples on behalf of such authority, comply with all federal, state, and local laws, rules, and regulations applicable to such collection or examination, including the provisions of section five hundred two of the public health law.

2. No later than April first, two thousand twenty, the New York city housing authority shall meet with representatives of the housing part of the New York city civil court, a representative of public housing tenants from each borough in the city of New York, and a representative

of a legal services provider with experience representing public housing tenants in the housing part of the New York city civil court, in order to review and comment on the New York city housing authority's proposed additions to its website as described in subdivision one of this section.

3. Nothing in this section shall be deemed to limit or modify the manner in which a tenant may report unscheduled interruption in services to their particular unit when not associated with a broader building or development unscheduled interruption of services, or to limit the applicability of the warranty of habitability to New York city housing authority apartments or to limit the authority of the New York city council to legislate in the area of housing code violations or with respect to the New York city department of housing preservation and development.

4. Nothing in this section shall be deemed to limit or modify the obligation of the department of housing preservation and development to inspect and verify the existence of conditions of all kinds in the New York city housing authority.

5. (a) The New York city housing authority shall remedy an interruption of gas service as expeditiously as practicable by applying for any permits necessary to make repairs, as applicable, and coordinating with agencies and gas corporations on a plan to restore such service.

(b) The New York city housing authority shall notify residents affected by any such interruption of the plan to restore such service developed pursuant to paragraph (a) of this subdivision by:

(i) Communicating such plan to residents affected by such interruption as well as the resident association president or other formally recognized resident leader;

(ii) Regularly scheduling meetings to update residents affected by such interruption, as well as the resident association president or other formally recognized resident leader, about the progress made on such plan; and

(iii) Posting a notice in the lobby of the building affected by such

interruption describing the interruption and estimating the date on which service by the gas corporation shall be restored.

§ 402-f. Searchable ticket database. 1. When residents call and file complaints and/or file a complaint online with the authority, the authority shall assign the complaint a ticket number. The authority shall then make available this complaint and corresponding ticket number on their website and over the phone in a public database which is searchable by ticket number. Each searchable ticket number shall provide the following information:

- (a) explanation of the complaint;
- (b) current status of the ticket;
- (c) whether or not the ticket is still open or closed;
- (d) any and all action taken on the complaint;
- (e) any and all action taken towards solving the complaint;
- (f) next steps to be taken, if known; and
- (g) any additional information the authority chooses to provide aside from the mandatory information required under this section.

2. The database shall exclude all personal information such as apartment numbers, names of residents, and any other identifying information.

*** § 402-g. Contracting with minority and women owned enterprises and small businesses.** Notwithstanding any provision of article eight of this chapter or any other provision of law, the authority is authorized to establish and implement reasonable procedures to secure the meaningful participation of minority and women owned enterprises and small businesses in its procurement process, and may use the same measures to enhance small business participation as are available to the city of New York pursuant to section thirteen hundred nine of the New York city charter, except to the extent inconsistent with federal law and any funding requirements that preclude the authority from implementing the provisions of this section. Upon written consent of the authority, the authority shall be subject to the rules and goal authorized under

subdivision g of section thirteen hundred nine of such charter with respect to a mentoring program established pursuant to this section, provided that after execution of such written consent, the NYCHA CEO, as such term is defined in subdivision fifteen of section six hundred twenty-seven of this chapter, and the city, acting by the mayor, may enter into a memorandum of understanding relating to mentoring opportunities authorized under this section.

* NB Repealed February 22, 2034

§ 402-h. Succession rights. 1. The policies and procedures of the New York city housing authority include, and shall continue to include, policies and procedures allowing individuals to claim succession rights to public housing units in properties owned and operated by the New York city housing authority upon the permanent departure or death of the tenant of record from the unit.

2. The New York city housing authority shall establish written policies and procedures for asserting succession rights consistent with the requirements of applicable federal, state, and local laws, regulations, and guidance, as they may change from time to time. Such written policies and procedures shall also be consistent with the New York city housing authority's occupancy standards. Such policies and procedures shall include, but not be limited to:

- (a) eligibility requirements for lease succession;
- (b) relocation requirements, if any, arising out of lease succession;
- (c) the requirement to pay use and occupancy during the pendency of succession rights proceedings; and
- (d) the right to an administrative grievance of the New York city housing authority's denial of succession rights, except as limited by the New York city housing authority's succession rights policies and procedures.

3. The New York city housing authority shall issue notice in writing of substantive changes to its succession rights policies and procedures at least thirty days prior to implementing those changes, and shall afford an opportunity to provide written comments with respect to the

proposed changes. The New York city housing authority shall consider written comments prior to implementation of the proposed changes.

TITLE 2

BUFFALO MUNICIPAL HOUSING AUTHORITY

Section 403. Validation.

404. Buffalo Municipal Housing Authority.

§ 403. Validation. The creation and establishment of the Buffalo Municipal Housing Authority under the provisions of article five of the former state housing law, together with all proceedings, acts and things undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any want of statutory authority or any defect or irregularity in such acts or proceedings.

§ 404. Buffalo Municipal Housing Authority. The Buffalo Municipal Housing Authority is hereby constituted and declared to be a body corporate and politic with all the powers, rights and duties set forth in article five of the former state housing law. Notwithstanding any inconsistent provision of law, any member of such authority appointed or reappointed by the mayor of Buffalo shall be subject to confirmation by a majority vote of the common council of such city.

TITLE 3

SCHENECTADY MUNICIPAL HOUSING AUTHORITY

Section 405. Validation.

406. Schenectady Municipal Housing Authority.

§ 405. Validation. The creation and establishment of the municipal housing authority of the city of Schenectady under the provisions of article five of the former state housing law, together with all

proceedings, acts and things undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any want of statutory authority or any defect or irregularity in such acts or proceedings.

§ 406. Schenectady Municipal Housing Authority. The municipal housing authority of the city of Schenectady is hereby constituted and declared to be a body corporate and politic with all the powers, rights and duties as set forth in article five of the former state housing law.

TITLE 4

NEW ROCHELLE MUNICIPAL HOUSING AUTHORITY

Section 407. New Rochelle Municipal Housing Authority.

§ 407. New Rochelle Municipal Housing Authority. A municipal housing authority, to be known as the New Rochelle Municipal Housing Authority, is hereby established for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 5

FREEPORT HOUSING AUTHORITY

Section 408. Freeport Housing Authority.

§ 408. Freeport Housing Authority. A municipal housing authority, to be known as the Freeport Housing Authority, is hereby created and established for the village of Freeport in the county of Nassau for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if on February first, nineteen hundred fifty-four, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 6

HEMPSTEAD HOUSING AUTHORITY

Section 409. Hempstead Housing Authority.

§ 409. Hempstead Housing Authority. A municipal housing authority, to be known as the Hempstead Housing Authority, is hereby created and established for the village of Hempstead in the county of Nassau for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if on May first, nineteen hundred forty-seven, there shall

be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 7

ROCKVILLE CENTRE HOUSING AUTHORITY

Section 410. Rockville Centre Housing Authority.

§ 410. Rockville Centre housing authority. A municipal housing authority, to be known as the Rockville Centre housing authority, is hereby created and established for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if on May first, nineteen hundred seventy, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 8

NORTH TONAWANDA HOUSING AUTHORITY

Section 411. North Tonawanda Housing Authority.

§ 411. North Tonawanda Housing Authority. A municipal housing authority, to be known as the North Tonawanda Housing Authority, is

hereby created and established in the city of North Tonawanda in the county of Niagara for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if, at the expiration of three years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 9

TONAWANDA HOUSING AUTHORITY

Section 412. Tonawanda Housing Authority.

§ 412. Tonawanda Housing Authority. A municipal housing authority, to be known as the Tonawanda Housing Authority is hereby created and established for the city of Tonawanda in the county of Erie for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 10

ELMIRA HOUSING AUTHORITY

Section 413. Elmira Housing Authority.

§ 413. Elmira Housing Authority. A municipal housing authority, to be known as the Elmira Housing Authority, is hereby created and established for the city of Elmira in the county of Chemung for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if, at the expiration of three years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 11

PORT CHESTER HOUSING AUTHORITY

Section 414. Port Chester Housing Authority.

§ 414. Port Chester Housing Authority. A municipal housing authority, to be known as the Port Chester Housing Authority is hereby established in the village of Port Chester in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or

hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 12

NIAGARA FALLS HOUSING AUTHORITY

Section 415. Niagara Falls Housing Authority.

§ 415. Niagara Falls Housing Authority. A municipal housing authority, to be known as the Niagara Falls Housing Authority, is hereby created and established in the city of Niagara Falls in the county of Niagara for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if, at the expiration of three years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 13

ROTTERDAM MUNICIPAL HOUSING AUTHORITY

Section 416. Rotterdam Municipal Housing Authority.

§ 416. Rotterdam Municipal Housing Authority. A municipal housing authority, to be known as the Rotterdam Municipal Housing Authority, is hereby created and established for the town of Rotterdam in the county of Schenectady, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the power and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 14

NORTH HEMPSTEAD HOUSING AUTHORITY

Section 417. North Hempstead Housing Authority.

§ 417. North Hempstead Housing Authority. A municipal housing authority, to be known as the North Hempstead Housing Authority, is hereby created and established for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members who shall be qualified electors of the town of North Hempstead. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. The town board of the town of North Hempstead may appropriate and pay over to the authority out of general town funds and as a town charge a sum not to exceed ten thousand dollars for purposes of organization, administration, investigation, planning and report. Such authority shall have perpetual duration; provided, however, that if on May first, nineteen hundred fifty-one, there shall be outstanding no bonds or other obligations of such authority

theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 15

TOWN OF TONAWANDA HOUSING AUTHORITY

Section 418. Town of Tonawanda Housing Authority.

§ 418. Town of Tonawanda Housing Authority. A municipal housing authority, to be known as the town of Tonawanda Housing Authority is hereby created and established for the town of Tonawanda in the county of Erie for the accomplishment of any and all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of three members. It shall have all the powers and duties, now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter and the authority, its members, officers, and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 16

MOUNT VERNON HOUSING AUTHORITY

Section 419. Mount Vernon Housing Authority.

§ 419. Mount Vernon Housing Authority. A municipal housing authority, to be known as the Mount Vernon Housing Authority is hereby created and established in the city of Mount Vernon in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the power and duties now or hereafter conferred by this chapter upon municipal housing authorities.

It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 17

CHEEKTOWAGA HOUSING AUTHORITY

Section 420. Cheektowaga Housing Authority.

§ 420. Cheektowaga Housing Authority. A municipal housing authority, to be known as the Cheektowaga Housing Authority, is hereby created and established for the town of Cheektowaga in the county of Erie for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of three members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 18

TROY HOUSING AUTHORITY

Section 421. Troy Housing Authority.

§ 421. Troy Housing Authority. A municipal housing authority, to be known as the Troy Housing Authority, is hereby created and established for the city of Troy in the county of Rensselaer for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter

conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 19

WHITE PLAINS HOUSING AUTHORITY

Section 422. White Plains Housing Authority.

§ 422. White Plains Housing Authority. A municipal housing authority, to be known as the White Plains Housing Authority, is hereby created and established for the city of White Plains in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 20

OSWEGO HOUSING AUTHORITY

Section 423. Oswego Housing Authority.

§ 423. Oswego Housing Authority. A municipal housing authority, to be known as the Oswego Housing Authority, is hereby created and established for the city of Oswego in the county of Oswego for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five

members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 21

FORT EDWARD HOUSING AUTHORITY

Section 424. Fort Edward Housing Authority.

§ 424. Fort Edward Housing Authority. A municipal housing authority, to be known as the Fort Edward Housing Authority, is hereby created and established for the village of Fort Edward in the county of Washington, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 22

BINGHAMTON HOUSING AUTHORITY

Section 425. Binghamton Housing Authority.

§ 425. Binghamton Housing Authority. A municipal housing authority, to be known as the Binghamton Housing Authority, is hereby created and established for the city of Binghamton in the county of Broome, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall

constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 23

ALBANY HOUSING AUTHORITY

Section 426. Albany Housing Authority.

§ 426. Albany Housing Authority. A municipal housing authority, to be known as the Albany Housing Authority, is hereby created and established in the city of Albany in the county of Albany for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if, at the expiration of three years subsequent to the time this section as hereby amended takes effect, there shall be outstanding no bonds or other obligations of such authority, theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 24

CORNING HOUSING AUTHORITY

Section 427. Corning Housing Authority.

§ 427. Corning Housing Authority. A municipal housing authority, to be known as the Corning Housing Authority, is hereby created and established for the city of Corning in the county of Steuben for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 25

AMSTERDAM HOUSING AUTHORITY

Section 428. Amsterdam Housing Authority.

§ 428. Amsterdam Housing Authority. A municipal housing authority to be known as the Amsterdam Housing Authority, is hereby created and established for the city of Amsterdam in the county of Montgomery, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 26

ITHACA HOUSING AUTHORITY

Section 429. Ithaca Housing Authority.

§ 429. Ithaca Housing Authority. A municipal housing authority, to be known as the Ithaca Housing Authority, is hereby created and established for the city of Ithaca in the county of Tompkins, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 27

FULTON HOUSING AUTHORITY

Section 430. Fulton Housing Authority.

§ 430. Fulton Housing Authority. A municipal housing authority, to be known as Fulton Housing Authority, is hereby created and established for the city of Fulton in the county of Oswego for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 28

ROME HOUSING AUTHORITY

Section 431. Rome Housing Authority.

§ 431. Rome Housing Authority. A municipal housing authority to be known as the Rome Housing Authority is hereby created in the city of Rome, in the county of Oneida, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members and shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration. Its members shall be appointed by the mayor of the city of Rome.

TITLE 29

LONG BEACH HOUSING AUTHORITY

Section 432. Long Beach Housing Authority.

§ 432. Long Beach Housing Authority. A municipal housing authority, to be known as the Long Beach Housing Authority, is hereby created and established for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members who shall be qualified electors of the city of Long Beach. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. The city council of the city of Long Beach may appropriate and pay over to the authority out of general city funds and as a city

charge a sum not to exceed ten thousand dollars for purposes of organization, administration, investigation, planning and report.

TITLE 30

JOHNSON CITY HOUSING AUTHORITY

Section 433. Johnson City Housing Authority.

§ 433. Johnson City Housing Authority. A municipal housing authority, to be known as the Johnson City Housing Authority, is hereby created and established for the incorporated village of Johnson City in the county of Broome for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 31

KINGSTON HOUSING AUTHORITY

Section 434. Kingston Housing Authority.

§ 434. Kingston Housing Authority. A municipal housing authority, to be known as the Kingston Housing Authority, is hereby created and established for the city of Kingston in the county of Ulster for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the

provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 32

MASSENA HOUSING AUTHORITY

Section 435. Massena Housing Authority.

§ 435. Massena Housing Authority. A municipal housing authority, to be known as the Massena Housing Authority, is hereby created and established for the incorporated village of Massena in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 33

AUBURN HOUSING AUTHORITY

Section 436. Auburn Housing Authority.

§ 436. Auburn Housing Authority. A municipal housing authority, to be known as the Auburn Housing Authority, is hereby created and established in the city of Auburn in the county of Cayuga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner

prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if, at the expiration of three years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 34

POUGHKEEPSIE HOUSING AUTHORITY

Section 437. Poughkeepsie Housing Authority.

§ 437. Poughkeepsie Housing Authority. A municipal housing authority, to be known as the Poughkeepsie Housing Authority, is hereby created and established for the city of Poughkeepsie in the county of Dutchess for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 35

WATERTOWN HOUSING AUTHORITY

Section 438. Watertown Housing Authority.

§ 438. Watertown Housing Authority. A municipal housing authority, to

be known as the Watertown Housing Authority, is hereby created and established for the city of Watertown in the county of Jefferson for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 36

MECHANICVILLE HOUSING AUTHORITY

Section 439. Mechanicville Housing Authority.

§ 439. Mechanicville Housing Authority. A municipal housing authority, to be known as the Mechanicville Housing Authority, is hereby created and established for the city of Mechanicville in the county of Saratoga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 37

OGDENSBURG HOUSING AUTHORITY

Section 440. Ogdensburg Housing Authority.

§ 440. Ogdensburg Housing Authority. A municipal housing authority, to be known as the Ogdensburg Housing Authority, is hereby created and established for the city of Ogdensburg in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of three years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 38

JAMESTOWN HOUSING AUTHORITY

Section 441. Jamestown Housing Authority.

§ 441. Jamestown Housing Authority. A municipal housing authority, to be known as the Jamestown Housing Authority is hereby created and established for the city of Jamestown in the county of Chautauqua, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate, be perpetual in duration, and politic, and

consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers, and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 39

ORANGETOWN HOUSING AUTHORITY

Section 442. Orangetown Housing Authority.

§ 442. Orangetown Housing Authority. A municipal housing authority, to be known as the Orangetown Housing Authority, is hereby created and established for the town of Orangetown in the county of Rockland, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 40

HERKIMER HOUSING AUTHORITY

Section 443. Herkimer Housing Authority.

§ 443. Herkimer Housing Authority. A municipal housing authority to be known as the Herkimer Housing Authority, is hereby created and established for the village of Herkimer, in the county of Herkimer, New York, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall

constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 41

GLEN COVE HOUSING AUTHORITY

Section 444. Glen Cove Housing Authority.

§ 444. Glen Cove Housing Authority. A municipal housing authority to be known as the Glen Cove Housing Authority, is hereby created and established for the city of Glen Cove, in the county of Nassau, New York, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 42

PLATTSBURGH HOUSING AUTHORITY

Section 445. Plattsburgh Housing Authority.

§ 455. Plattsburgh Housing Authority. A municipal housing authority, to be known as the Plattsburgh Housing Authority, is hereby created and established for the city of Plattsburgh in the county of Clinton for the accomplishment of any or all of the purposes specified in article

eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 43

LITTLE FALLS HOUSING AUTHORITY

Section 446. Little Falls Housing Authority.

§ 446. Little Falls Housing Authority. A municipal housing authority, to be known as the Little Falls Housing Authority, is hereby created and established for the city of Little Falls in the county of Herkimer, New York, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 44

CORTLAND HOUSING AUTHORITY

Section 447. Cortland Housing Authority.

§ 447. Cortland Housing Authority. A municipal housing authority, to be known as the Cortland Housing Authority, is hereby created and established for the city of Cortland in the county of Cortland, for the

accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 45

COHOES HOUSING AUTHORITY

Section 448. Cohoes Housing Authority.

§ 448. Cohoes Housing Authority. A municipal housing authority, to be known as the Cohoes Housing Authority, is hereby created and established for the city of Cohoes in the county of Albany for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 46

NIAGARA HOUSING AUTHORITY

Section 449. Niagara Housing Authority.

§ 449. Niagara Housing Authority. A municipal housing authority, to be known as the Niagara Housing Authority, is hereby created and established for the town of Niagara in the county of Niagara, New York, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 47

SARATOGA SPRINGS HOUSING AUTHORITY

Section 450. Saratoga Springs Housing Authority.

§ 450. Saratoga Springs Housing Authority. A municipal housing authority, to be known as the Saratoga Springs Housing Authority, is hereby created and established for the city of Saratoga Springs in the county of Saratoga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there

shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 48

RENSSELAER HOUSING AUTHORITY

Section 451. Rensselaer Housing Authority.

§ 451. Rensselaer Housing Authority. A municipal housing authority to be known as the Rensselaer Housing Authority, is hereby created and established for the city of Rensselaer in the county of Rensselaer, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 49

NORTH TARRYTOWN HOUSING AUTHORITY

Section 452. North Tarrytown Housing Authority.

§ 452. North Tarrytown Housing Authority. A municipal housing authority to be known as the North Tarrytown Housing Authority, is hereby created and established for the village of North Tarrytown in the county of Westchester, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the

powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 50

NEWBURGH HOUSING AUTHORITY

Section 453. Newburgh Housing Authority.

§ 453. Newburgh Housing Authority. A municipal housing authority to be known as the Newburgh Housing Authority, is hereby created and established for the city of Newburgh in the county of Orange, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 51

OSSINING HOUSING AUTHORITY

Section 454. Ossining Housing Authority.

§ 454. Ossining Housing Authority. A municipal housing authority to be known as the Ossining Housing Authority, is hereby created and established for the village of Ossining in the county of Westchester, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall

constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 52

RYE HOUSING AUTHORITY

Section 455. Rye Housing Authority.

§ 455. Rye Housing Authority. A municipal housing authority, to be known as the Rye Housing Authority, is hereby created and established for the city of Rye in the county of Westchester, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 53

SALAMANCA HOUSING AUTHORITY

Section 456. Salamanca Housing Authority.

§ 456. Salamanca Housing Authority. A municipal housing authority, to be known as the Salamanca Housing Authority, is hereby created and established for the city of Salamanca in the county of Cattaraugus for the accomplishment of any or all of the purposes specified in article

eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 54

GREENBURGH HOUSING AUTHORITY

Section 457. Greenburgh Housing Authority.

§ 457. Greenburgh Housing Authority.--A municipal housing authority, to be known as the Greenburgh Housing Authority is hereby created and established for the town of Greenburgh in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. Such authority shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration.

TITLE 55

MOUNT KISCO HOUSING AUTHORITY

§ 458. Validation. The creation, establishment and organization of the Mount Kisco housing authority under chapter forty of the laws of nineteen hundred fifty-four and chapter nine hundred thirteen of the laws of nineteen hundred fifty-seven, together with all the proceedings, acts and things undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any want of statutory authority, expiration of corporate existence, or any defect or irregularity in such acts or proceedings.

§ 458-a. Mount Kisco housing authority. 1. A municipal housing authority, to be known as the Mount Kisco housing authority is hereby recreated, re-established and continued from February twenty-second, nineteen hundred fifty-nine for the village of Mount Kisco in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York and is hereby constituted and declared to be a body corporate and politic, consisting of five members, with all the powers, rights and duties now or hereafter conferred by the public housing law upon municipal housing authorities. It shall be subject to the provisions of the public housing law, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of the public housing law. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to April thirtieth, nineteen hundred sixty-three, there shall be outstanding no bonds, notes or other obligations of such authority theretofore issued for any of the purposes authorized in the public housing law, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

2. Notwithstanding any general, special or local law, the village of Mount Kisco, Westchester county, is hereby authorized and empowered to

transfer and convey to the Mount Kisco housing authority, and such authority is hereby authorized and empowered to acquire all the right, title, interest and assets, including contractual rights and obligations, held by the village with respect to a public housing project in said village, identified and numbered as NY-38-1, and for that purpose such village and authority are hereby authorized and empowered to make, execute and deliver any instrument and perform any act necessary or convenient, and upon such transfer, conveyance and delivery all the rights, duties, liabilities and responsibilities of the village relative to such housing project, including any contract with the federal public housing administration, shall be assumed by and devolve upon the Mount Kisco housing authority.

3. All proceedings and acts of the Mount Kisco housing authority and the village of Mount Kisco, Westchester county, and all contracts, agreements, obligations and undertaking heretofore entered into by such Mount Kisco housing authority or village relating to the public housing project in the village identified and known as Public Housing Administration Project number NY-38-1 are hereby legalized, validated, ratified and confirmed in all respects, notwithstanding any defect or irregularity therein or want of statutory authority.

TITLE 56

WATERVLIET HOUSING AUTHORITY

Section 459. Watervliet Housing Authority.

§ 459. Watervliet Housing Authority. A municipal housing authority, to be known as the Watervliet Housing Authority, is hereby created and established for the city of Watervliet in the county of Albany for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter,

and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 57

VILLAGE OF CATSKILL HOUSING AUTHORITY

Section 460. Village of Catskill Housing Authority.

§ 460. Village of Catskill Housing Authority. A municipal housing authority to be known as the Village of Catskill Housing Authority, is hereby created and established for the village of Catskill in the county of Greene, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 58

MIDDLETOWN HOUSING AUTHORITY

Section 461. Middletown Housing Authority.

§ 461. Middletown Housing Authority. A municipal housing authority, to be known as the Middletown Housing Authority, is hereby created and

established for the city of Middletown in the county of Orange for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 59

VILLAGE OF GOSHEN HOUSING AUTHORITY

Section 462. Village of Goshen Housing Authority.

§ 462. Village of Goshen Housing Authority. A municipal housing authority to be known as the Village of Goshen Housing Authority, is hereby created and established for the village of Goshen in the county of Orange, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 60

ROCHESTER HOUSING AUTHORITY

Section 463. Rochester Housing Authority.

§ 463. Rochester Housing Authority. 1. A municipal housing authority

to be known as the Rochester Housing Authority, is hereby created and established for the city of Rochester in the county of Monroe for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

2. Notwithstanding any general, special or local law or existing contracts between the city of Rochester and the state of New York, the city of Rochester is hereby authorized and empowered to sell, grant and convey at private sale to the Rochester Housing Authority and such housing authority is hereby authorized to acquire all of the real and personal property, structures, fixtures, facilities and appurtenances of or used in connection with the public housing project in the city of Rochester, known as Hanover Houses and designated as no. NYS-53 together with all other assets, including but not limited to, cash in banks, securities and accounts receivable. Said transfer and conveyance shall be subject to all existing contracts, leases, special agreements, compensation awards and pending tort claims affecting the project.

3. Upon transfer, conveyance and delivery as provided in subdivision two of this title, all the rights, duties, liabilities, and responsibilities of the city of Rochester relative to NYS-53, including the loan and subsidy contract with the state of New York, dated September seventh, nineteen hundred forty-nine, as thereafter amended, and as prescribed by this chapter shall succeed to, be assumed by and shall devolve upon the Rochester Housing Authority, but nothing herein shall be deemed to release the city of Rochester from any existing liability under such loan and subsidy contract.

4. The commissioner of housing, the city of Rochester and the Rochester Housing and Rehabilitation Authority are hereby authorized and

empowered to make and execute any and all contracts, deeds, conveyances, transfers, assignments and other instruments and to perform any and all acts necessary or convenient to carry out the purpose of the provisions of this title.

TITLE 61

GENEVA HOUSING AUTHORITY

Section 464. Geneva Housing Authority.

§ 464. Geneva Housing Authority. A municipal housing authority, to be known as the Geneva Housing Authority, is hereby created and established for the city of Geneva in the county of Ontario, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 62

CANANDAIGUA HOUSING AUTHORITY

Section 465. Canandaigua Housing Authority.

§ 465. Canandaigua Housing Authority. A municipal housing authority,

to be known as the Canandaigua Housing Authority, is hereby created and established for the city of Canandaigua in the county of Ontario, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 63

TOWN OF SOUTHAMPTON HOUSING AUTHORITY

§ 466. Town of Southampton housing authority. A municipal housing authority, to be known as the town of Southampton housing authority is hereby created and established for the town of Southampton in the county of Suffolk, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect,

there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 64

MAMARONECK HOUSING AUTHORITY

§ 467. Mamaroneck housing authority. A municipal housing authority to be known as the Mamaroneck housing authority, is hereby created and established for the village of Mamaroneck in the county of Westchester, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 65

TOWN OF ISLIP HOUSING AUTHORITY

Section 468. Town of Islip housing authority.

§ 468. Town of Islip housing authority. A municipal housing authority, to be known as the town of Islip housing authority is hereby created and established for the town of Islip in the county of Suffolk, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in

the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of ten years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 66

VILLAGE OF NYACK HOUSING AUTHORITY

Section 469. Village of Nyack housing authority.

§ 469. Village of Nyack housing authority. A municipal housing authority, to be known as the village of Nyack housing authority, is hereby created and established for the village of Nyack in the county of Rockland, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 67

VILLAGE OF MONTICELLO HOUSING AUTHORITY

Section 470. Village of Monticello housing authority.

§ 470. Village of Monticello housing authority. A municipal housing

authority, to be known as the village of Monticello housing authority, is hereby created and established for the village of Monticello in the county of Sullivan, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by, and subject to, the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 68

TOWN OF WILNA HOUSING AUTHORITY

Section 471. Town of Wilna housing authority.

§ 471. Town of Wilna housing authority. 1. A municipal housing authority, to be known as the town of Wilna housing authority is hereby created and established for the town of Wilna in the county of Jefferson for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

2. Notwithstanding any other provision of law, rule or regulation to the contrary, the village of West Carthage housing authority, in its entirety, shall be transferred to the town of Wilna housing authority. All powers and duties of the village of West Carthage housing authority pursuant to section thirty-seven of this chapter or any other provision relating to municipal housing authorities under article three of this

chapter shall be transferred to and assumed by the town of Wilna housing authority.

TITLE 69

TOWN OF HUNTINGTON HOUSING AUTHORITY

Section 472. Town of Huntington housing authority.

§ 472. Town of Huntington housing authority. A municipal housing authority, to be known as the town of Huntington housing authority is hereby created and established for the town of Huntington in the county of Suffolk, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 71

VILLAGE OF SPRING VALLEY HOUSING AUTHORITY

Section 474. Village of Spring Valley housing authority.

§ 474. Village of Spring Valley housing authority. A municipal housing authority, to be known as the village of Spring Valley housing authority, is hereby created and established for the village of Spring

Valley in the county of Rockland, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 72

VILLAGE OF SLOATSBURG HOUSING AUTHORITY

Section 475. Village of Sloatsburg housing authority.

§ 475. Village of Sloatsburg housing authority. A municipal housing authority, to be known as the village of Sloatsburg housing authority, is hereby created and established for the village of Sloatsburg in the county of Rockland, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 73

GLOVERSVILLE HOUSING AUTHORITY

Section 476. Gloversville housing authority.

§ 476. Gloversville housing authority. A municipal housing authority,

to be known as the Gloversville housing authority is hereby created and established for the city of Gloversville in the county of Fulton for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 74

CITY OF BEACON HOUSING AUTHORITY

Section 477. City of Beacon housing authority.

§ 477. City of Beacon housing authority. A municipal housing authority to be known as the city of Beacon housing authority, is hereby created and established for the city of Beacon in the county of Dutchess, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 76

TOWN OF HEMPSTEAD HOUSING AUTHORITY

Section 479. Hempstead Housing Authority.

§ 479. Hempstead Housing Authority. A municipal housing authority, to be known as the Town of Hempstead housing authority is hereby created and established for the town of Hempstead in the county of Nassau for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 77

TOWN OF OYSTER BAY HOUSING AUTHORITY

Section 480. Town of Oyster Bay housing authority.

§ 480. Town of Oyster Bay housing authority. A municipal housing authority, to be known as the town of Oyster Bay housing authority, is hereby created and established for the town of Oyster Bay in the county of Nassau for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 78

CITY OF BATAVIA HOUSING AUTHORITY

Section 481. City of Batavia housing authority.

§ 481. City of Batavia housing authority. A municipal housing authority to be known as the city of Batavia housing authority is hereby created and established for the city of Batavia in the county of Genesee for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 79

VILLAGE OF ILION HOUSING AUTHORITY

Section 482. Village of Ilion housing authority.

§ 482. Village of Ilion housing authority. A municipal housing authority, to be known as the village of Ilion housing authority, is hereby created and established for the village of Ilion in the county of Herkimer, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 80

CITY OF DUNKIRK HOUSING AUTHORITY

Section 483. City of Dunkirk housing authority.

§ 483. City of Dunkirk housing authority. A municipal housing authority to be known as the city of Dunkirk housing authority is hereby created and established for the city of Dunkirk in the county of Chautauqua for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 81

CITY OF HUDSON HOUSING AUTHORITY

Section 484. City of Hudson housing authority.

§ 484. City of Hudson housing authority. A municipal housing authority, to be known as the city of Hudson housing authority, is hereby created and established for the city of Hudson in the county of Columbia, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 82

VILLAGE OF PAWLING HOUSING AUTHORITY

Section 485. Village of Pawling housing authority.

§ 485. Village of Pawling housing authority. A municipal housing authority, to be known as the village of Pawling housing authority, is hereby created and established for the village of Pawling in the county of Dutchess, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 83

CITY OF GLENS FALLS HOUSING AUTHORITY

§ 486. City of Glens Falls housing authority. A municipal housing authority, to be known as the city of Glens Falls housing authority, is hereby created and established for the city of Glens Falls in the county of Warren, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 84

CITY OF NORWICH HOUSING AUTHORITY

Section 487. City of Norwich housing authority.

§ 487. City of Norwich housing authority. A municipal housing authority, to be known as the city of Norwich housing authority, is hereby created and established for the city of Norwich in the county of Chenango, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 85

VILLAGE OF GREENPORT HOUSING AUTHORITY

§ 488. Village of Greenport housing authority. A municipal housing authority, to be known as the village of Greenport housing authority is hereby created and established for the village of Greenport in the county of Suffolk for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 86

TOWN OF WALLKILL HOUSING AUTHORITY

Section 489. Town of Wallkill Housing Authority.

§ 489. Town of Wallkill housing authority. A municipal housing authority to be known as the town of Wallkill housing authority is hereby created and established for the town of Wallkill in the county of Orange, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 87

CITY OF HORNELL HOUSING AUTHORITY

Section 490. City of Hornell housing authority.

§ 490. City of Hornell housing authority. A municipal housing authority to be known as the city of Hornell housing authority is hereby created and established for the city of Hornell in the county of Steuben for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 88

VILLAGE OF WOODRIDGE HOUSING AUTHORITY

Section 491. Village of Woodridge housing authority.

§ 491. Village of Woodridge housing authority. A municipal housing authority, to be known as the village of Woodridge housing authority is hereby created and established for the village of Woodridge in the county of Sullivan for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 89

TOWN OF FALLSBURG HOUSING AUTHORITY

Section 492. Town of Fallsburg housing authority.

§ 492. Town of Fallsburg housing authority. A municipal housing authority, to be known as the town of Fallsburg housing authority, is hereby created and established for the town of Fallsburg in the county of Sullivan, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 90

VILLAGE OF MALONE HOUSING AUTHORITY

Section 493. Village of Malone Housing Authority.

§ 493. Village of Malone Housing Authority. A municipal housing authority to be known as the village of Malone housing authority is hereby created and established for the village of Malone in the county of Franklin, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 91

VILLAGE OF COXSACKIE HOUSING AUTHORITY

Section 494. Village of Coxsackie Housing Authority.

§ 494. Village of Coxsackie housing authority. A municipal housing authority, to be known as the village of Coxsackie housing authority is hereby created and established for the village of Coxsackie in the county of Greene for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 92

VILLAGE OF SOUTH NYACK HOUSING AUTHORITY

Section 495. Village of South Nyack housing authority.

§ 495. Village of South Nyack housing authority. A municipal housing authority to be known as the village of South Nyack housing authority is hereby created and established for the village of South Nyack in the county of Rockland for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 93

TOWN OF HARRIETSTOWN HOUSING AUTHORITY

Section 496. Town of Harrietstown Housing Authority.

§ 496. Town of Harrietstown Housing Authority. A municipal housing authority, to be known as the Town of Harrietstown Housing Authority, is hereby created and established for the town of Harrietstown in the county of Franklin, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* TITLE 94

VILLAGE OF TUPPER LAKE HOUSING AUTHORITY

Section 497. Village of Tupper Lake Housing Authority.

* NB There are 3 Title 94's

*** § 497. Village of Tupper Lake Housing Authority.** A municipal housing authority to be known as the village of Tupper Lake housing authority is hereby created and established for the village of Tupper Lake in the county of Franklin, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 3 § 497's

* TITLE 94

VILLAGE OF GOUVERNEUR HOUSING AUTHORITY

Section 497*2. Village of Gouverneur Housing Authority.

* NB There are 3 Title 94's

*** § 497. Village of Gouverneur housing authority.** A municipal housing authority to be known as the Village of Gouverneur housing authority is hereby created/and established for the Village of Gouverneur in the County of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon

municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB Nonexistent May 5, 1987

* NB There are 3 § 497's

* TITLE 94

VILLAGE OF WADDINGTON HOUSING AUTHORITY

Section 497*3. Village of Waddington housing authority.

* NB There are 3 Title 94's

*** § 497. Village of Waddington housing authority.** A municipal housing authority to be known as the Village of Waddington housing authority is hereby created/and established for the Village of Waddington in the County of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 3 § 497's

TITLE 95

TOWN OF ALBION HOUSING AUTHORITY

Section 498. Town of Albion Housing Authority.

§ 498. Town of Albion housing authority. A municipal housing

authority to be known as the town of Albion housing authority is hereby created and established for the town of Albion in the county of Orleans, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 96

TOWN OF RAMAPO HOUSING AUTHORITY

Section 499. Town of Ramapo housing authority.

§ 499. Town of Ramapo housing authority. A municipal housing authority, to be known as the town of Ramapo housing authority, is hereby created and established for the town of Ramapo in the county of Rockland, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 97

CITY OF ONEONTA HOUSING AUTHORITY

Section 500. City of Oneonta housing authority.

§ 500. City of Oneonta housing authority. A municipal housing authority, to be known as the city of Oneonta housing authority, is hereby created and established for the city of Oneonta in the county of Otsego, for the accomplishment of only those purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of not less than three nor more than five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 98

YORKTOWN HOUSING AUTHORITY

Section 501. Yorktown housing authority.

§ 501. Yorktown housing authority. A municipal housing authority, to be known as the Yorktown housing authority, is hereby created and established for the town of Yorktown in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of five years subsequent to the time this section as hereby added takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such

authority shall thereupon be deemed to be and shall be dissolved.

TITLE 99

CITY OF LOCKPORT HOUSING AUTHORITY

Section 502. City of Lockport housing authority.

§ 502. City of Lockport housing authority. A municipal housing authority, to be known as the city of Lockport housing authority, is hereby created and established for the city of Lockport in the county of Niagara, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 100

VILLAGE OF LIBERTY HOUSING AUTHORITY

Section 503. Village of Liberty housing authority.

§ 503. Village of Liberty housing authority. A municipal housing authority, to be known as the village of Liberty housing authority is hereby created and established for the village of Liberty in the county of Sullivan for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter and the authority, its

members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 101

VILLAGE OF GREEN ISLAND HOUSING AUTHORITY

Section 504. Village of Green Island Housing Authority.

§ 504. Village of Green Island Housing Authority. A municipal housing authority to be known as the village of Green Island housing authority is hereby created and established for the village of Green Island in the county of Albany, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* TITLE 102

TOWN OF GREECE HOUSING AUTHORITY

Section 505. Town of Greece Housing Authority.

* NB There are 3 Title 102's

*** § 505. Town of Greece Housing Authority.** A municipal housing authority, to be known as the Town of Greece Housing Authority, is hereby created and established for the town of Greece in the county of Monroe, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities.

It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB Not operative per general election November, 1968

* NB There are 3 § 505's

* TITLE 102

CITY OF ONEIDA HOUSING AUTHORITY

Section 505*2. City of Oneida housing authority.

* NB There are 3 Title 102's

* **§ 505. City of Oneida housing authority.** A municipal housing authority, to be known as the city of Oneida housing authority, is hereby created and established for the city of Oneida in the county of Madison, for the accomplishment of any or all the purposes specified in article eighteen of the constitution of the State of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of not less than three nor more than five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 3 § 505's

* TITLE 102

VILLAGE OF POTSDAM HOUSING AUTHORITY

Section 505*3. Village of Potsdam housing authority.

* NB There are 3 Title 102's

* **§ 505. Village of Potsdam housing authority.** A municipal housing

authority to be known as the Village of Potsdam housing authority is hereby created/and established for the Village of Potsdam in the County of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 3 § 505's

TITLE 103

TOWN OF QUEENSBURY HOUSING AUTHORITY

Section 506. Town of Queensbury Housing Authority.

§ 506. Town of Queensbury housing authority. A municipal housing authority, to be known as the Town of Queensbury housing authority, is hereby created and established for the town of Queensbury in the county of Warren, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the power and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 104

VILLAGE OF BOONVILLE HOUSING AUTHORITY

Section 507. Village of Boonville Housing Authority.

§ 507. Village of Boonville Housing Authority. A municipal housing authority, to be known as the village of Boonville Housing Authority, is hereby created and established for the village of Boonville in the county of Oneida for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers, and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 104-a

PALMYRA HOUSING AUTHORITY

Section 508. Palmyra Housing Authority.

§ 508. Palmyra Housing Authority. A municipal housing authority, to be known as the Palmyra Housing Authority, is hereby created and established for the incorporated village of Palmyra in the county of Wayne for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 104-B

VILLAGE OF LOWVILLE HOUSING AUTHORITY

Section 509. Village of Lowville Housing Authority.

§ 509. Village of Lowville Housing Authority. A municipal housing authority, to be known as the Village of Lowville Housing Authority, is hereby created and established for the village of Lowville in the county of Lewis for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 104-C

VILLAGE OF CLAYTON HOUSING AUTHORITY

Section 509-a. Village of Clayton Housing Authority.

§ 509-a. Village of Clayton Housing Authority. A municipal housing authority, to be known as the Village of Clayton Housing Authority, is hereby created and established for the village of Clayton in the county of Jefferson for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 104-D

VILLAGE OF LE ROY HOUSING AUTHORITY

Section 509-d. Village of Le Roy Housing Authority.

*** § 509-d. Village of Le Roy Housing Authority.** A municipal housing authority, to be known as the village of Le Roy Housing Authority, is hereby created and established for the village of Le Roy in the county of Genesee for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 509-d's

TITLE 104-E

VILLAGE OF PAINTED POST HOUSING AUTHORITY

Section 509-c. Village of Painted Post Housing Authority.

§ 509-c. Village of Painted Post Housing Authority. A municipal housing authority, to be known as the Village of Painted Post Housing Authority, is hereby created and established for the village of Painted Post in the county of Steuben for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE ONE HUNDRED FOUR-F
TOWN OF ERWIN HOUSING AUTHORITY

Section 509-d*2. Town of Erwin Housing Authority.

*** § 509-d. Town of Erwin Housing Authority.** A municipal housing authority, to be known as the Town of Erwin Housing Authority, is hereby created and established for the town of Erwin in the county of Steuben for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB Nonexistent June 14, 1988

* NB There are 2 § 509-d's

TITLE 105
VILLAGE OF ELLENVILLE HOUSING AUTHORITY

Section 510. Village of Ellenville Housing Authority.

§ 510. Village of Ellenville Housing Authority. A municipal housing authority to be known as the village of Ellenville housing authority is hereby created and established for the village of Ellenville in the county of Ulster, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its

members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 106

NEWARK HOUSING AUTHORITY

Section 511. Newark housing authority.

§ 511. Newark housing authority. A municipal housing authority to be known as the Newark housing authority is hereby created and established for the village of Newark in the county of Wayne for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 107

VILLAGE OF WARWICK HOUSING AUTHORITY

Section 512. Village of Warwick housing authority.

§ 512. Village of Warwick housing authority. A municipal housing authority, to be known as the village of Warwick housing authority is hereby created and established for the village of Warwick in the county of Orange for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the

provisions of this chapter and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 108

TOWN OF NORTH ELBA HOUSING AUTHORITY

Section 513. Town of North Elba housing authority.

§ 513. Town of North Elba housing authority. A municipal housing authority, to be known as the North Elba housing authority is hereby created and established for the town of North Elba in the county of Essex for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 109

VILLAGE OF LAKE PLACID HOUSING AUTHORITY

Section 514. Village of Lake Placid housing authority

§ 514. Village of Lake Placid housing authority. A municipal housing authority, to be known as the Lake Placid housing authority is hereby created and established for the village of Lake Placid in the county of Essex for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities.

It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 110

VILLAGE OF ST. JOHNSVILLE HOUSING AUTHORITY

Section 515. Village of St. Johnsville housing authority.

§ 515. Village of St. Johnsville housing authority. A municipal housing authority to be known as the village of St. Johnsville housing authority is hereby created and established for the village of St. Johnsville in the county of Montgomery, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE III

VILLAGE OF EAST ROCHESTER HOUSING AUTHORITY

Section 516. Village of East Rochester housing authority.

§ 516. Village of East Rochester housing authority. A municipal housing authority, to be known as the village of East Rochester housing authority, is hereby created and established for the village of East Rochester, in the county of Monroe, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be

perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 112

VILLAGE OF LYNBROOK HOUSING AUTHORITY

Section 517. Village of Lynbrook housing authority.

§ 517. Village of Lynbrook housing authority. A municipal housing authority to be known as the village of Lynbrook housing authority is hereby created and established for the village of Lynbrook in the county of Nassau, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have all the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 113

ELMIRA HEIGHTS HOUSING AUTHORITY

Section 518. Elmira Heights housing authority.

§ 518. Elmira Heights housing authority. A municipal housing authority to be known as the Elmira Heights housing authority is hereby created and established for the village of Elmira Heights in the county of Chemung for the accomplishment of any or all of the purposes

specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 114

VILLAGE OF GROTON HOUSING AUTHORITY

Section 519. Village of Groton housing authority.

§ 519. Village of Groton housing authority. A municipal housing authority, to be known as the village of Groton housing authority, is hereby created and established for the village of Groton in the county of Tompkins, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 115

VILLAGE OF CANTON HOUSING AUTHORITY

Section 520. Village of Canton housing authority.

§ 520. Village of Canton housing authority. A municipal housing authority to be known as the village of Canton housing authority is hereby created and established for the village of Canton in the county

of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 116

PORT JERVIS HOUSING AUTHORITY

Section 521. Port Jervis housing authority.

§ 521. Port Jervis housing authority. A municipal housing authority to be known as the Port Jervis housing authority is hereby created and established for the city of Port Jervis, in the county of Orange for the accomplishment of any and all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 117

VILLAGE OF WEBSTER HOUSING AUTHORITY

Section 522. Village of Webster Housing Authority.

§ 522. Village of Webster Housing Authority. A municipal housing authority, to be known as the Village of Webster Housing Authority, is

hereby created and established for the Village of Webster in the county of Monroe, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 118

CITY OF OLEAN HOUSING AUTHORITY

Section 523. City of Olean Housing Authority.

§ 523. City of Olean Housing Authority. A municipal housing authority to be known as the City of Olean Housing Authority, is hereby created and established for the city of Olean in the county of Cattaraugus, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 119

TOWN OF ISLIP HOUSING AUTHORITY

Section 524. Town of Islip housing authority.

§ 524. Town of Islip housing authority. A municipal housing

authority, to be known as the town of Islip housing authority is hereby created and established for the town of Islip in the county of Suffolk, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration; provided, however, that if at the expiration of ten years subsequent to the time this section as hereby added takes effect there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 120

VILLAGE OF KENMORE HOUSING AUTHORITY

Section 525. Village of Kenmore housing authority.

§ 525. Village of Kenmore housing authority. A municipal housing authority to be known as the village of Kenmore housing authority is hereby created/and established for the village of Kenmore in the county of Erie for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 121

VILLAGE OF HEUVELTON HOUSING AUTHORITY

Section 526. Village of Heuvelton housing authority.

§ 526. Village of Heuvelton housing authority. A municipal housing authority to be known as the village of Heuvelton housing authority is hereby created and established for the village of Heuvelton in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 122

VILLAGE OF ELIZABETHTOWN HOUSING AUTHORITY

Section 527. Village of Elizabethtown Housing Authority.

§ 527. Village of Elizabethtown housing authority. A municipal housing authority, to be known as the Elizabethtown housing authority, is hereby created and established for the village of Elizabethtown in the county of Essex for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall

in all respects be governed by the provisions of this chapter.

TITLE 123

VILLAGE OF RENSSELAER FALLS HOUSING AUTHORITY

Section 528. Village of Rensselaer Falls housing authority.

§ 528. Village of Rensselaer Falls housing authority. A municipal housing authority to be known as the village of Rensselaer Falls housing authority is hereby created and established for the village of Rensselaer Falls in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officer and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 125

VILLAGE OF ISLAND PARK HOUSING AUTHORITY

Section 530. Village of Island Park housing authority.

§ 530. Village of Island Park housing authority. A municipal housing authority to be known as the village of Island Park housing authority is hereby created/and established for the village of Island Park in the county of Nassau for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and

subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 126

VILLAGE OF MONTOUR FALLS HOUSING AUTHORITY

Section 531. Village of Montour Falls housing authority.

§ 531. Village of Montour Falls housing authority. A municipal housing authority to be known as the village of Montour Falls housing authority is hereby created/and established for the village of Montour Falls in the county of Schuyler for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* TITLE 127

VILLAGE OF CHITTENANGO HOUSING AUTHORITY

Section 532. Village of Chittenango housing authority.

* NB There are 2 Title 127's

*** § 532. Village of Chittenango housing authority.** A municipal housing authority to be known as the village of Chittenango housing authority is hereby created and established for the village of Chittenango in the county of Madison for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in

duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB Nonexistent June 1, 1987

* NB There are 2 § 532's

* TITLE 127

TOWN OF NORFOLK HOUSING AUTHORITY

Section 532*2. Town of Norfolk housing authority.

* NB There are 2 Title 127's

* **§ 532. Town of Norfolk housing authority.** A municipal housing authority, to be known as the town of Norfolk housing authority is hereby created and established for the town of Norfolk in the county of St. Lawrence, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provision of this chapter.

* NB There are 2 § 532's

* TITLE 128

TOWN OF HOOSICK HOUSING AUTHORITY

Section 533. Town of Hoosick housing authority.

* NB There are 2 Title 128's

*** § 533. Town of Hoosick housing authority.** A municipal housing authority, to be known as the Town of Hoosick housing authority, is hereby created and established for the town of Hoosick in the county of Rensselaer, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the power and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 533's

* TITLE 128

TOWN OF WHEATFIELD HOUSING AUTHORITY

Section 533*2. Town of Wheatfield housing authority.

* NB There are 2 Title 128's

*** § 533. Town of Wheatfield housing authority.** A municipal housing authority to be known as the town of Wheatfield housing authority is hereby created and established for the town of Wheatfield in the county of Niagara for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 533's

TITLE 129

FREDONIA HOUSING AUTHORITY

Section 534. Fredonia Housing Authority.

§ 534. Fredonia Housing Authority. A municipal housing authority, to be known as the Fredonia Housing Authority, is hereby created and established for the incorporated village of Fredonia in the county of Chautauqua for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

*** TITLE 130**

TOWN OF WARWICK HOUSING AUTHORITY

Section 535. Town of Warwick housing authority.

* NB There are 2 Title 130's

*** § 535. Town of Warwick housing authority.** A municipal housing authority, to be known as the town of Warwick housing authority, is hereby created and established for the town of Warwick in the county of Orange, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, to be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 535's

* TITLE 130

VILLAGE OF NORTH SYRACUSE HOUSING AUTHORITY

Section 535*2. Village of North Syracuse Housing Authority.

* NB There are 2 Title 130's

*** § 535. Village of North Syracuse Housing Authority.** A municipal housing authority, to be known as the Village of North Syracuse Housing Authority, is hereby created and established for the incorporated village of North Syracuse in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 535's

TITLE 132

CANAJOHARIE HOUSING AUTHORITY

Section 537. Canajoharie Housing Authority.

§ 537. Canajoharie Housing Authority. A municipal housing authority, to be known as the Canajoharie Housing Authority, is hereby created and established for the incorporated village of Canajoharie in the county of Montgomery for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing

authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 133

TOWN OF DEKALB HOUSING AUTHORITY

Section 538. Town of DeKalb housing authority.

§ 538. Town of DeKalb housing authority. A municipal housing authority, to be known as the town of DeKalb housing authority is hereby created and established for the town of DeKalb, in the county of St. Lawrence, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration.

TITLE 134

TOWN OF HERMON HOUSING AUTHORITY

Section 539. Town of Hermon housing authority.

§ 539. Town of Hermon housing authority. A municipal housing authority, to be known as the town of Hermon housing authority is hereby created and established for the town of Hermon in the county of St. Lawrence, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five

members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration.

TITLE 135

VILLAGE OF BATH HOUSING AUTHORITY

Section 540. Village of Bath Housing Authority.

§ 540. Village of Bath Housing Authority. A municipal housing authority, to be known as the village of Bath Housing Authority, is hereby created and established for the village of Bath in the county of Steuben for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 136

VILLAGE OF DOLGEVILLE HOUSING AUTHORITY

Section 541. Village of Dolgeville Housing Authority.

§ 541. Village of Dolgeville Housing Authority. A municipal housing authority, to be known as the Village of Dolgeville Housing Authority, is hereby created and established for the incorporated village of Dolgeville in the county of Herkimer for the accomplishment of any or

all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter; and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 137

VILLAGE OF ORISKANY FALLS HOUSING AUTHORITY

Section 542. Village of Oriskany Falls Housing Authority.

§ 542. Village of Oriskany Falls Housing Authority. A municipal housing authority, to be known as the village of Oriskany Falls Housing Authority, is hereby created and established for the village of Oriskany Falls in the county of Oneida for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers, and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 138

VILLAGE OF ALEXANDRIA BAY HOUSING AUTHORITY

Section 543. Village of Alexandria Bay Housing Authority.

§ 543. Village of Alexandria Bay Housing Authority. A municipal

housing authority, to be known as the Village of Alexandria Bay Housing Authority, is hereby created and established for the village of Alexandria Bay in the county of Jefferson for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 138-A

VILLAGE OF SKANEATELES HOUSING AUTHORITY

Section 543-a. Village of Skaneateles housing authority.

§ 543-a. Village of Skaneateles housing authority. A municipal housing authority, to be known as the Village of Skaneateles housing authority, is hereby created and established for the Village of Skaneateles in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 139

VILLAGE OF LANCASTER HOUSING AUTHORITY

Section 544. Village of Lancaster housing authority.

§ 544. Village of Lancaster housing authority. A municipal housing authority, to be known as the village of Lancaster housing authority, is hereby created and established for the village of Lancaster in the county of Erie for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 140

VILLAGE OF PHILMONT HOUSING AUTHORITY

Section 545. Village of Philmont housing authority.

§ 545. Village of Philmont housing authority. A municipal housing authority, to be known as the village of Philmont housing authority, is hereby created and established for the village of Philmont in the county of Columbia for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 141

TOWN OF TICONDEROGA HOUSING AUTHORITY

Section 546. Town of Ticonderoga Housing Authority.

§ 546. Town of Ticonderoga Housing Authority. A municipal housing authority, to be known as the Town of Ticonderoga Housing Authority, is hereby created and established for the town of Ticonderoga in the county of Essex for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 142

TOWN OF LANSING HOUSING AUTHORITY

Section 547. Town of Lansing Housing Authority.

§ 547. Town of Lansing Housing Authority. A municipal housing authority, to be known as the Town of Lansing Housing Authority, is hereby created and established for the Town of Lansing in the county of Tompkins for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

VILLAGE OF EAST SYRACUSE HOUSING AUTHORITY

Section 548. Village of East Syracuse Housing Authority.

* NB There are 2 Title 143's

*** § 548. Village of East Syracuse Housing Authority.** A municipal housing authority, to be known as the Village of East Syracuse Housing Authority, is hereby created and established for the village of East Syracuse in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 548's

* TITLE 143

VILLAGE OF CANASTOTA HOUSING AUTHORITY

Section 548*2. Village of Canastota housing authority.

* NB There are 2 Title 143's

*** § 548. Village of Canastota housing authority.** A municipal housing authority, to be known as the village of Canastota housing authority, is hereby created and established for the village of Canastota in the county of Madison for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its

members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 548's

TITLE 144

VILLAGE OF KIRYAS JOEL HOUSING AUTHORITY

Section 549. Village of Kiryas Joel Housing Authority.

§ 549. Village of Kiryas Joel Housing Authority. A municipal housing authority, to be known as the village of Kiryas Joel Housing Authority, is hereby created and established for the village of Kiryas Joel in the county of Orange for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* TITLE 145

VILLAGE OF WEST WINFIELD HOUSING AUTHORITY

Section 550. Village of West Winfield housing authority

* NB There are 2 Title 145's

*** § 550. Village of West Winfield housing authority.** A municipal housing authority, to be known as the village of West Winfield housing authority, is hereby created and established for the village of West Winfield in the county of Herkimer for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the

powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 550's

* TITLE 145

TOWN OF EDWARDS HOUSING AUTHORITY

Section 550*2. Town of Edwards Housing Authority.

* NB There are 2 Title 145's

*** § 550. Town of Edwards Housing Authority.** A municipal housing authority, to be known as the Town of Edwards Housing Authority, is hereby created and established for the town of Edwards in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 550's

TITLE 146

VILLAGE OF SACKETS HARBOR HOUSING AUTHORITY

Section 551. Village of Sackets Harbor Housing Authority.

§ 551. Village of Sackets Harbor Housing Authority. A municipal housing authority, to be known as the Village of Sackets Harbor Housing

Authority, is hereby created and established for the Village of Sackets Harbor in the County of Jefferson for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the State of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 147

VILLAGE OF WATKINS GLEN HOUSING AUTHORITY

Section 552. Village of Watkins Glen Housing Authority.

§ 552. Village of Watkins Glen Housing Authority. A municipal housing authority, to be known as the Village of Watkins Glen Housing Authority, is hereby created and established for the Village of Watkins Glen in the county of Schuyler for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 148

VILLAGE OF HORSEHEADS HOUSING AUTHORITY

Section 553. Village of Horseheads housing authority.

§ 553. Village of Horseheads housing authority. A municipal housing authority, to be known as the Village of Horseheads housing authority, is hereby created and established for the Village of Horseheads in the county of Chemung for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* TITLE 150

VILLAGE OF GREAT NECK HOUSING AUTHORITY

Section 555. Village of Great Neck housing authority.

* NB There are 2 Title 150's

*** § 555. Village of Great Neck housing authority. 1.** A municipal housing authority, to be known as the Village of Great Neck housing authority, is hereby created and established for the Village of Great Neck in the county of Nassau for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 555's

* TITLE 150

VILLAGE OF NEW SQUARE HOUSING AUTHORITY

Section 555*2. Village of New Square housing authority.

* NB There are 2 Title 150's

*** § 555. Village of New Square housing authority.** A municipal housing authority, to be known as the village of New Square housing authority, is hereby created and established for the village of New Square in the county of Rockland for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 555's

TITLE 151

VILLAGE OF FRANKFORT HOUSING AUTHORITY

Section 556. Village of Frankfort housing authority.

§ 556. Village of Frankfort housing authority. A municipal housing authority, to be known as the village of Frankfort housing authority, is hereby created and established for the village of Frankfort in the county of Herkimer for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 152

VILLAGE OF SOLVAY HOUSING AUTHORITY

Section 557. Village of Solvay housing authority.

§ 557. Village of Solvay housing authority. A municipal housing authority, to be known as the village of Solvay housing authority, is hereby created and established for the village of Solvay in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 153

TOWN OF FOWLER HOUSING AUTHORITY

Section 558. Town of Fowler housing authority.

§ 558. Town of Fowler housing authority. A municipal housing authority, to be known as the town of Fowler housing authority, is hereby created and established for the town of Fowler in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall

in all respects be governed by the provisions of this chapter.

TITLE 154

VILLAGE OF PHILADELPHIA HOUSING AUTHORITY

Section 559. Village of Philadelphia housing authority.

§ 559. Village of Philadelphia housing authority. A municipal housing authority, to be known as the village of Philadelphia housing authority, is hereby created and established for the village of Philadelphia in the county of Jefferson for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 155

CITY OF SHERRILL HOUSING AUTHORITY

Section 560. City of Sherrill housing authority.

§ 560. City of Sherrill housing authority. A municipal housing authority, to be known as the city of Sherrill housing authority, is hereby created and established for the city of Sherrill in the county of Oneida for the accomplishment of any or all the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of not less than three nor more than five members. It shall have the power and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the

authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 156

TOWN OF MARION HOUSING AUTHORITY

Section 561. Town of Marion housing authority.

§ 561. Town of Marion housing authority. A municipal housing authority, to be known as the town of Marion housing authority, is hereby created and established for the town of Marion in the county of Wayne for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 157

TOWN OF CAMBRIA HOUSING AUTHORITY

Section 562. Town of Cambria housing authority.

§ 562. Town of Cambria housing authority. A municipal housing authority, to be known as the town of Cambria housing authority, is hereby created and established for the town of Cambria in the county of Niagara for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities.

It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 158

TOWN OF EAST HAMPTON HOUSING AUTHORITY

Section 563. Town of East Hampton Housing Authority.

§ 563. Town of East Hampton Housing Authority. A municipal housing authority, to be known as the East Hampton Housing Authority, is hereby created and established for the Town of East Hampton in the county of Suffolk for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration, provided, however, that if at the expiration of ten years subsequent to the time this section takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved.

TITLE 159

TOWN OF CAMILLUS HOUSING AUTHORITY

Section 564. Town of Camillus housing authority.

§ 564. Town of Camillus housing authority. A municipal housing

authority, to be known as the town of Camillus housing authority, is hereby created and established for the town of Camillus in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 160

TOWN OF LISBON HOUSING AUTHORITY

Section 565. Town of Lisbon Housing Authority.

§ 565. Town of Lisbon Housing Authority. A municipal housing authority, to be known as the Town of Lisbon Housing Authority, is hereby created and established for the Town of Lisbon in the county of St. Lawrence for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

TITLE 161

TOWN OF UNION HOUSING AUTHORITY

Section 566. Town of Union Housing Authority.

§ 566. Town of Union Housing Authority. A municipal housing authority, to be known as the Town of Union Housing Authority, is hereby created and established for the Town of Union in the county of Broome for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* TITLE 162

VILLAGE OF JORDAN HOUSING AUTHORITY

Section 567. Village of Jordan housing authority.

* NB There are 2 Title 162's

*** § 567. Village of Jordan housing authority.** A municipal housing authority, to be known as the Village of Jordan housing authority, is hereby created and established for the Village of Jordan in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 567's

* TITLE 162

VILLAGE OF LIVERPOOL HOUSING AUTHORITY

Section 567*2. Village of Liverpool housing authority.

* NB There are 2 Title 162's

*** § 567. Village of Liverpool housing authority.** A municipal housing authority, to be known as the village of Liverpool housing authority, is hereby created and established for the village of Liverpool in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic and consist of at least three nor more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 567's

* TITLE 163

TOWN OF GOSHEN HOUSING AUTHORITY

Section 568. Town of Goshen Housing Authority.

* NB There are 2 Title 163's

*** § 568. Town of Goshen Housing Authority.** A municipal housing authority, to be known as the Town of Goshen Housing Authority, is hereby created and established for the town of Goshen in the county of Orange, for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and be subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For the purposes of article

fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

* NB There are 2 § 568's

* TITLE 163

VILLAGE OF KASER HOUSING AUTHORITY

Section 568*2. Village of Kaser Housing Authority.

* NB There are 2 Title 163's

* **§ 568. Village of Kaser Housing Authority.** A municipal housing authority, to be known as the village of Kaser Housing Authority, is hereby created and established for the village of Kaser in the county of Rockland for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of at least three and not more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter.

* NB There are 2 § 568's

* TITLE 164

TOWN OF MAMARONECK HOUSING AUTHORITY

Section 569. Town of Mamaroneck Housing authority.

* NB There are 2 Title 164's

* **§ 569. Town of Mamaroneck housing authority.** A municipal housing authority, to be known as the town of Mamaroneck housing authority, is

hereby created and established for the town of Mamaroneck in the county of Westchester for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of not less than three nor more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter; and the authority, its members, officers and employees and its operation and activities shall in all respects be governed by the provisions of this chapter. For the purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

* NB There are 2 § 569's

* TITLE 164

TOWN OF TULLY HOUSING AUTHORITY

Section 569*2. Town of Tully Housing authority.

* NB There are 2 Title 164's

* **§ 569. Town of Tully Housing Authority.** A municipal housing authority, to be known as the Town of Tully Housing Authority, is hereby created and established for the town of Tully in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members; provided, however, that if, at the expiration of three years subsequent to the time this section takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved. It shall have the powers and duties now or hereafter conferred by this

chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For the purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

* NB There are 2 § 569's

TITLE 165

VILLAGE OF SCOTIA HOUSING AUTHORITY

Section 570. Village of Scotia Housing authority.

§ 570. Village of Scotia housing authority. A municipal housing authority, to be known as the Village of Scotia housing authority, is hereby created and established for the Village of Scotia in the county of Schenectady for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of at least three members and not more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

TITLE 166

TOWN OF PATTERSON HOUSING AUTHORITY

Section 571. Town of Patterson housing authority.

§ 571. Town of Patterson housing authority. A municipal housing authority, to be known as the Town of Patterson housing authority, is hereby created and established for the Town of Patterson in the County of Putnam for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

TITLE 167

TOWN OF ALLEGANY HOUSING AUTHORITY

Section 572. Town of Allegany housing authority.

§ 572. Town of Allegany housing authority. A municipal housing authority, to be known as the town of Allegany housing authority, is hereby created and established for the town of Allegany in the county of Cattaraugus for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of at least three members and not more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of

this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For purposes of article fifteen-A of the executive law only, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

TITLE 168

TOWN OF SOUTHAMPTON HOUSING AUTHORITY

Section 573. Town of Southampton housing authority.

§ 573. Town of Southampton housing authority. A municipal housing authority, to be known as the town of Southampton housing authority, is hereby created and established for the town of Southampton in the county of Suffolk for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, and consist of five members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. Such authority shall have perpetual duration, provided, however, that if at the expiration of ten years subsequent to the time this section takes effect, there shall be outstanding no bonds or other obligations of such authority theretofore issued for any of the purposes authorized in this chapter, then its corporate existence shall thereupon terminate and such authority shall thereupon be deemed to be and shall be dissolved. For purposes of article fifteen-A of the executive law only, the authority shall be deemed to be a state agency as that term is used in such article, and its contracts for design, construction services and materials shall be deemed to be state contracts within the meaning of that term as set forth in such article.

TITLE 169

VILLAGE OF ELBRIDGE HOUSING AUTHORITY

Section 574. Village of Elbridge housing authority.

§ 574. Village of Elbridge housing authority. A municipal housing authority, to be known as the Village of Elbridge housing authority, is hereby created and established for the village of Elbridge in the county of Onondaga for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in duration and consist of at least three members and not more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For purposes of article fifteen-A of the executive law, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

TITLE 170

TOWN OF GLENVILLE HOUSING AUTHORITY

Section 575. Town of Glenville housing authority.

§ 575. Town of Glenville housing authority. A municipal housing authority, to be known as the Town of Glenville housing authority, is hereby created and established for the town of Glenville in the county of Schenectady for the accomplishment of any or all of the purposes specified in article eighteen of the constitution of the state of New York. It shall constitute a body corporate and politic, be perpetual in

duration and consist of at least three members and not more than seven members. It shall have the powers and duties now or hereafter conferred by this chapter upon municipal housing authorities. It shall be organized in the manner prescribed by and subject to the provisions of this chapter, and the authority, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of this chapter. For purposes of article fifteen-A of the executive law, the authority shall be deemed a state agency as that term is used in such article, and its contracts for design, construction, services and materials shall be deemed state contracts within the meaning of that term as set forth in such article.

ARTICLE XIV

OBLIGATION TO AFFIRMATIVELY FURTHER FAIR HOUSING

Section 600. Obligation to affirmatively further fair housing.

§ 600. Obligation to affirmatively further fair housing. 1. For the purposes of this section, the term "covered housing agency" shall mean any state department, agency or office administering housing and community development laws or housing and community development programs including but not limited to New York state homes and community renewal, the division of housing and community renewal, the New York state housing finance agency, the affordable housing corporation, the housing trust fund corporation, the municipal bond bank agency, the state of New York mortgage agency, any subsidiary of the foregoing agencies, any public housing agency, and any localities receiving funds from any state department, agency or office to administer programs or activities related to housing and community development.

2. The commissioner and all covered housing agencies shall administer all such programs and activities related to housing and community development in a manner that affirmatively furthers fair housing and shall cooperate with the commissioner to further such purpose.

3. The commissioner and all covered housing agencies shall take

meaningful actions to:

- (a) identify and overcome patterns of residential segregation and housing discrimination;
- (b) eradicate racially or ethnically concentrated areas of poverty;
- (c) reduce disparities in access to opportunity;
- (d) eliminate disproportionate housing needs;
- (e) provide the public reasonable and regular opportunities to comment on fair housing issues and participate in the development and advancement of affirmative fair housing policy; and
- (f) encourage and maintain compliance with article fifteen of the executive law and any other applicable anti-discrimination or fair housing law.

4. The commissioner and all covered housing agencies shall take no action that is materially inconsistent with the obligation of this section.

5. The commissioner shall:

(a) on or before February first of two thousand twenty-two, and each fifth year thereafter, produce a draft report that shall be made available to the public. The report shall include any significant initiatives, policies, or programs undertaken in furtherance of fair housing and any recommendations for improving the state of fair housing in New York. The draft report shall be open to a minimum of twenty-one days of public comment. The commissioner shall, on or before March tenth of each year that such report is due, submit the final version of said report to the governor, the speaker of the assembly, and the temporary president of the senate. The commissioner shall submit along with the final report, all comments received pursuant to the public comment period; and

(b) on or before February first of every second and fourth year following the issuance of the full report required pursuant to paragraph (a) of this subdivision, prepare an interim report explaining any progress or significant changes to recommendations included in such full report and detailing any new significant initiatives, policies, or programs that have been undertaken in furtherance of fair housing. The interim report shall be submitted to the governor, the speaker of the

assembly, and the temporary president of the senate.

* ARTICLE 14-A

HOUSING ACCESS VOUCHER PILOT PROGRAM

Section 605. Definitions.

606. Housing access voucher pilot program.

607. Eligibility.

608. Funding allocation and distribution.

609. Payment of housing vouchers.

610. Leases and tenancy.

611. Rental obligation.

612. Monthly assistance payment.

613. Inspection of units.

614. Rent.

615. Vacated units.

616. Leasing of units owned by a housing access voucher local administrator.

617. Verification of income.

618. Division of an assisted family.

619. Maintenance of effort.

620. Vouchers statewide.

621. Applicable codes.

622. Housing choice.

623. Annual reports.

* NB Expires May 1, 2030

* **§ 605. Definitions.** For the purposes of this article, the following terms shall have the following meanings:

1. "Homeless" means lacking a fixed, regular, and adequate nighttime residence; having a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, campground, or other place not meant for human habitation; living in a supervised publicly or privately

operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state or local government programs for low-income individuals or by charitable organizations, congregate shelters, or transitional housing); exiting an institution where an individual or family has resided and lacking a regular fixed and adequate nighttime residence upon release or discharge; individuals released or scheduled to be released from incarceration and lacking a regular fixed and adequate nighttime residence upon release or discharge; being a homeless family with children or unaccompanied youth defined as homeless under 42 U.S.C. § 11302(a); having experienced a long-term period without living independently in permanent housing or having experienced persistent instability as measured by frequent moves and being reasonably expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, multiple barriers to employment, or other dangerous or life-threatening conditions, including conditions that relate to violence against an individual or a family member.

2. "Imminent loss of housing" means having received a verified rent demand or a petition for eviction; having received a court order resulting from an eviction action that notifies the individual or family that they must leave their housing; facing loss of housing due to a court order to vacate the premises due to hazardous conditions, which may include but not be limited to asbestos, lead exposure, mold, and radon; having a primary nighttime residence that is a room in a hotel or motel and lacking the resources necessary to stay; facing loss of the primary nighttime residence, which may include living in the home of another household, where the owner or renter of the housing will not allow the individual or family to stay, provided further, that an assertion from an individual or family member alleging such loss of housing or homelessness shall be sufficient to establish eligibility; or fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking or other dangerous or life-threatening conditions that relate to violence against the

individual or a family member, provided further that an assertion from an individual or family member alleging such abuse and loss of housing shall be sufficient to establish eligibility.

3. "Public housing agency" means any county, municipality, or other governmental entity or public body that is authorized to administer any public housing program (or an agency or instrumentality of such an entity), and any other public or private non-profit entity that administers any other public housing program or assistance.

4. "Section 8 local administrator" means a public housing agency that administers the Section 8 Housing Choice Voucher program under section 8 of the United States housing act of 1937 within a community, county or region, or statewide, on behalf of and under contract with the housing trust fund corporation.

5. "Housing access voucher local administrator" means a public housing agency, as defined in subdivision three of this section, or Section 8 local administrator designated to administer the housing access voucher pilot program within a community, county or region, or statewide, on behalf of and under contract with the housing trust fund corporation. In the city of New York, the housing access voucher local administrator shall be the New York city department of housing preservation and development, or the New York city housing authority, or both.

6. "Family" means a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family) or any remaining members of a tenant family. The commissioner shall have the discretion to determine if any other group of persons qualifies as a family.

7. "Owner" means any private person or any entity, including a cooperative, an agency of the federal government, or a public housing agency, having the legal right to lease or sublease dwelling units.

8. "Dwelling unit" means a single-family dwelling, including attached

structures such as porches and stoops; or a single-family dwelling unit in a structure that contains more than one separate residential dwelling unit, and in which each such unit is used or occupied, or intended to be used or occupied, in whole or in part, as the residence of one or more persons.

9. "Income" shall mean the same as it is defined by 24 CFR § 5.609 and any amendments thereto.

10. "Adjusted income" shall mean the same as it is defined by 24 CFR § 5.611 and any amendments thereto.

11. "Reasonable rent" means rent not more than the rent charged on comparable units in the private unassisted market and rent charged for comparable unassisted units in the premises.

12. "Fair market rent" means the fair market rent for each rental area as promulgated annually by the United States department of housing and urban development pursuant to 42 U.S.C. 1437f.

13. "Voucher" means a document issued by the housing trust fund corporation pursuant to this article to an individual or family selected for admission to the housing access voucher pilot program, which describes such pilot program and the procedures for approval of a unit selected by the family and states the obligations of the individual or family under the pilot program.

14. "Lease" means a written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by an individual or family with housing assistance payments under a contract between the owner and the housing access voucher local administrator.

15. "Dependent" means any member of the family who is neither the head of household, nor the head of the household's spouse, and who is:

- (a) under the age of eighteen;
- (b) a person with a disability; or

(c) a full-time student.

16. "Elderly" means a person sixty-two years of age or older.

17. "Child care expenses" means expenses relating to the care of children under the age of thirteen.

18. "Severely rent burdened" means those individuals and families who pay more than fifty percent of their income in rent as defined by the United States census bureau.

19. "Disability" means:

(a) the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; or

(b) in the case of an individual who has attained the age of fifty-five and is blind, the inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which they have previously engaged with some regularity and over a substantial period of time; or

(c) a physical, mental, or emotional impairment which:

(i) is expected to be of long-continued and indefinite duration;

(ii) substantially impedes their ability to live independently; and

(iii) is of such a nature that such ability could be improved by more suitable housing conditions; or

(d) a developmental disability that is a severe, chronic disability of an individual that:

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) is manifested before the individual attains age twenty-two;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations in three or more of the following areas of major life activity:

(A) self-care;

- (B) receptive and expressive language;
- (C) learning;
- (D) mobility;
- (E) self-direction;
- (F) capacity for independent living; or
- (G) economic self-sufficiency; and

(v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

* NB Expires May 1, 2030

*** § 606. Housing access voucher pilot program.** The commissioner, subject to the appropriation of funds for this purpose, shall implement a four-year pilot program to provide rental assistance in the form of housing vouchers for eligible individuals and families who are homeless or who face an imminent loss of housing in accordance with the provisions of this article. The housing trust fund corporation shall issue vouchers pursuant to this article beginning March first, two thousand twenty-six, subject to appropriation of funds for this purpose, and may contract with the division of housing and community renewal to administer any aspect of this pilot program in accordance with the provisions of this article. The commissioner shall designate and contract with housing access voucher local administrators in the state to make vouchers available to such individuals and families beginning March first, two thousand twenty-six and to administer other aspects of the pilot program in accordance with the provisions of this article.

* NB Expires May 1, 2030

*** § 607. Eligibility.** The commissioner shall promulgate standards for determining eligibility for assistance under this pilot program. Individuals and families who meet the standards shall be eligible regardless of immigration status. Eligibility shall be limited to individuals and families who are homeless or facing imminent loss of housing. Housing access voucher local administrators may rely on a

certification from a social services provider serving homeless individuals, including, but not limited to, homeless shelters to determine whether an applicant qualifies as a homeless individual or family.

1. An individual or family shall be eligible for this pilot program if they are homeless or facing imminent loss of housing and have an income of no more than fifty percent of the area median income, as defined by the United States department of housing and urban development.

2. An individual or family in receipt of rental assistance pursuant to this pilot program shall be no longer financially eligible for such assistance under this pilot program when thirty percent of the individual's or family's adjusted income is greater than or equal to the total rent for the dwelling unit.

3. When an individual or family becomes financially ineligible for rental assistance under this pilot program pursuant to subdivision two of this section, the individual or family shall retain rental assistance for a period no shorter than one year, subject to appropriation of funds for this purpose.

4. Income eligibility shall be verified prior to a housing access voucher local administrator's initial determination to provide rental assistance for this pilot program and upon determination of such eligibility, an individual or family shall annually certify their income for the purpose of determining continued eligibility and any adjustments to such rental assistance.

5. The commissioner may collaborate with the office of temporary and disability assistance and other state and city agencies to allow a housing access voucher local administrator to access income information for the purpose of determining an individual's or family's initial and continued eligibility for the pilot program.

6. Reviews of income shall be made no less frequently than annually.

* NB Expires May 1, 2030

*** § 608. Funding allocation and distribution.** 1. Subject to appropriation, funding shall be allocated by the commissioner in each county except for those counties located within the city of New York, the initial allocation shall be in proportion to the number of households in each county or the city of New York who are severely rent burdened based on data published by the United States census bureau. Funding for counties located within the city of New York shall be allocated directly to the New York city department of housing preservation and development and/or the New York city housing authority, as appropriate, in proportion to the number of households in New York city as compared to the rest of the state of New York who are severely rent burdened based on data published by the United States census bureau.

2. The commissioner shall be responsible for distributing the funds allocated in each county not located within the city of New York among housing access voucher local administrators operating in each county or in the city of New York.

3. Priority shall be given to applicants who are homeless. The commissioner shall have the discretion to establish further priorities as appropriate.

4. Up to ten percent of the funds allocated may be used by the commissioner and the housing access voucher local administrator for administrative expenses attributable to administering the housing access voucher pilot program.

* NB Expires May 1, 2030

*** § 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

* **§ 610. Leases and tenancy.** Each housing assistance payment contract entered into by a housing access voucher local administrator and the owner of a dwelling unit shall provide:

1. that the lease between the tenant and the owner shall be for a term of not less than one year, except that the housing access voucher local administrator may approve a shorter term for an initial lease between the tenant and the dwelling unit owner if the housing access voucher local administrator determines that such shorter term would improve housing opportunities for the tenant and if such shorter term is considered to be a prevailing local market practice;

2. that the dwelling unit owner shall offer leases to tenants assisted

under this article that:

(a) are in a standard form used in the locality by the dwelling unit owner; and

(b) contain terms and conditions that:

(i) are consistent with state and local law; and

(ii) apply generally to tenants in the property who are not assisted under this article;

(c) shall provide that during the term of the lease, the owner shall not terminate the tenancy except for serious or repeated violation of the terms and conditions of the lease, for violation of applicable state or local law, or for other good cause, including, but not limited to, the non-payment of the tenant's portion of the rent owed, and in the case of an owner who is an immediate successor in interest pursuant to foreclosure during the term of the lease vacating the property prior to sale shall not constitute other good cause, except that the owner may terminate the tenancy effective on the date of transfer of the unit to the owner if the owner:

(i) will occupy the unit as a primary residence; and

(ii) has provided the tenant a notice to vacate at least ninety days before the effective date of such notice;

(d) shall provide that any termination of tenancy under this section shall be preceded by the provision of written notice by the owner to the tenant specifying the grounds for that action, and any relief shall be consistent with applicable state and local law;

3. that any unit under an assistance contract originated under this article shall only be occupied by the individual or family designated in said contract and shall be the designated individual or family's primary residence. Contracts shall not be transferable between units and shall not be transferable between recipients. A family or individual may transfer their voucher to a different unit under a new contract pursuant to this article;

4. that an owner shall not charge more than a reasonable rent as defined in section six hundred five of this article.

* NB Expires May 1, 2030

*** § 611. Rental obligation.** The monthly rental obligation for an individual or family receiving housing assistance pursuant to the housing access voucher pilot program shall be the greater of:

1. thirty percent of the monthly adjusted income of the family or individual; or

2. If the family or individual is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the actual housing costs of the family, is specifically designated by that agency to meet the housing costs of the family, the portion of those payments that is so designated. These payments include, but are not limited to any shelter assistance or housing assistance administered by any federal, state or local agency.

* NB Expires May 1, 2030

*** § 612. Monthly assistance payment.** 1. The amount of the monthly assistance payment with respect to any dwelling unit shall be the difference between the maximum monthly rent which the contract provides that the owner is to receive for the unit and the rent the individual or family is required to pay under section six hundred eleven of this article.

2. The commissioner shall establish maximum rent levels for different sized rentals in each rental area in a manner that promotes the use of the pilot program in all localities based on the fair market rent of the rental area. Rental areas shall be determined by the commissioner. The commissioner may rely on data or other information promulgated by any other state or federal agency in determining the rental areas and fair market rent.

3. The payment standard for each size of dwelling unit in a rental area shall not be less than ninety percent and shall not exceed one hundred twenty percent of the fair market rent as defined in section six hundred five of this article for the same size of dwelling unit in the

same rental area, except that the commissioner shall not be required as a result of a reduction in the fair market rent to reduce the payment standard applied to a family continuing to reside in a unit for which the family was receiving assistance under this article at the time the fair market rent was reduced.

* NB Expires May 1, 2030

* **§ 613. Inspection of units.** Inspection of units shall be conducted pursuant to the procedures and standards of the Federal Housing Choice voucher program, as set forth in the applicable sections of Part 982 of Title 24 of the Code of Federal Regulations.

* NB Expires May 1, 2030

* **§ 614. Rent.** 1. The rent for dwelling units for which a housing assistance payment contract is established under this article shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market.

2. A housing access voucher local administrator (or other entity, as provided in section six hundred sixteen of this article) may, at the request of an individual or family receiving assistance under this article, assist that individual or family in negotiating a reasonable rent with a dwelling unit owner. A housing access voucher local administrator (or other such entity) shall review the rent for a unit under consideration by the individual or family (and all rent increases for units under lease by the individual or family) to determine whether the rent (or rent increase) requested by the owner is reasonable. If a housing access voucher local administrator (or other such entity) determines that the rent (or rent increase) for a dwelling unit is not reasonable, the housing access voucher local administrator (or other such entity) shall not make housing assistance payments to the owner under this subdivision with respect to that unit.

3. If a dwelling unit for which a housing assistance payment contract is established under this article is exempt from local rent control

provisions during the term of that contract, the rent for that unit shall be reasonable in comparison with other units in the rental area that are exempt from local rent control provisions.

4. Each housing access voucher local administrator shall make timely payment of any amounts due to a dwelling unit owner under this section, subject to appropriation of funds for this purpose.

* NB Expires May 1, 2030

* **§ 615. Vacated units.** If an assisted family vacates a dwelling unit for which rental assistance is provided under a housing assistance payment contract before the expiration of the term of the lease for the unit, rental assistance pursuant to such contract may not be provided for the unit after the month during which the unit was vacated.

* NB Expires May 1, 2030

* **§ 616. Leasing of units owned by a housing access voucher local administrator.** 1. If an eligible individual or family assisted under this article leases a dwelling unit (other than a public housing dwelling unit) that is owned by a housing access voucher local administrator administering assistance to that individual or family under this section, the commissioner shall require the unit of general local government or another entity approved by the commissioner, to make inspections required under section six hundred thirteen of this article and rent determinations required under section six hundred fourteen of this article. The housing access voucher local administrator shall be responsible for any expenses of such inspections and determinations, subject to the appropriation of funds for this purpose.

2. For purposes of this section, the term "owned by a housing access voucher local administrator" means, with respect to a dwelling unit, that the dwelling unit is in a project that is owned by such administrator, by an entity wholly controlled by such administrator, or by a limited liability company or limited partnership in which such administrator (or an entity wholly controlled by such administrator)

holds a controlling interest in the managing member or general partner. A dwelling unit shall not be deemed to be owned by a housing access voucher local administrator for purposes of this section because such administrator holds a fee interest as ground lessor in the property on which the unit is situated, holds a security interest under a mortgage or deed of trust on the unit, or holds a non-controlling interest in an entity which owns the unit or in the managing member or general partner of an entity which owns the unit.

* NB Expires May 1, 2030

*** § 617. Verification of income.** The commissioner shall establish procedures which are appropriate and necessary to assure that income data provided to the housing access voucher local administrator and owners by individuals and families applying for or receiving assistance under this article is complete and accurate. In establishing such procedures, the commissioner shall randomly, regularly, and periodically select a sample of families to authorize the commissioner to obtain information on these families for the purpose of income verification, or to allow those families to provide such information themselves. Such information may include, but is not limited to, data concerning unemployment compensation and federal income taxation and data relating to benefits made available under the social security act, 42 U.S.C. 301 et seq., the food and nutrition act of 2008, 7 U.S.C. 2011 et seq., or title 38 of the United States Code. Any such information received pursuant to this section shall remain confidential and shall be used only for the purpose of verifying incomes in order to determine eligibility of individuals and families for benefits (and the amount of such benefits, if any) under this article.

* NB Expires May 1, 2030

*** § 618. Division of an assisted family.** 1. In those instances where a family assisted under this article becomes divided into two otherwise eligible individuals or families due to divorce, legal separation or the division of the family, where such individuals or families cannot agree as to which such individual or family should continue to receive the

assistance, and where there is no determination by a court, the housing access voucher local administrator shall consider the following factors to determine which of the individuals or families will continue to be assisted:

- (a) which of such individuals or families has custody of dependent children;
- (b) which such individual was the head of household when the voucher was initially issued as listed on the initial application;
- (c) the composition of such individuals and families and which such family includes elderly or disabled members;
- (d) whether domestic violence was involved in the breakup of such family;
- (e) which family members remain in the unit; and
- (f) recommendations of social services professionals.

2. Documentation of these factors will be the responsibility of the requesting parties. If documentation is not provided, the housing access voucher local administrator will terminate assistance on the basis of failure to provide information necessary for a recertification.

* NB Expires May 1, 2030

*** § 619. Maintenance of effort.** Any funds made available pursuant to this article shall not be used to offset or reduce the amount of funds previously expended for the same or similar programs in a prior year in any county or in the city of New York, but shall be used to supplement any prior year's expenditures. The commissioner may grant an exception to this requirement if any county, municipality, or other governmental entity or public body can affirmatively show that such amount of funds previously expended is in excess of the amount necessary to provide assistance to all individuals and families within the area in which the funds were previously expended who are homeless or facing an imminent loss of housing.

* NB Expires May 1, 2030

*** § 620. Vouchers statewide.** Notwithstanding section six hundred ten

of this article, any voucher issued pursuant to this article may be used for housing anywhere in the state. The commissioner shall inform voucher holders that a voucher may be used anywhere in the state and, to the extent practicable, the commissioner shall assist voucher holders in finding housing in the area of their choice. Provided further, however, that a voucher must be used in the county in which it was issued, or within the city of New York, if the voucher was issued within the city of New York, for no less than one year before it can be used in a different jurisdiction, unless the issuing housing access voucher local administrator grants a waiver, or the voucher holder, or a family member thereof, is or has been the victim of domestic violence, dating violence, sexual assault, or stalking.

* NB Expires May 1, 2030

* **§ 621. Applicable codes.** Housing eligible for participation in the housing access voucher pilot program shall comply with applicable state and local health, housing, building and safety codes.

* NB Expires May 1, 2030

* **§ 622. Housing choice.** 1. The commissioner shall administer the housing access voucher pilot program under this article to promote housing choice for voucher holders. The commissioner shall affirmatively promote fair housing to the extent possible under this pilot program.

2. Nothing in this article shall lessen or abridge any fair housing obligations promulgated by municipalities, localities, or any other applicable jurisdiction.

* NB Expires May 1, 2030

* **§ 623. Annual reports.** The commissioner shall, on or before November first, two thousand twenty-six and annually thereafter until the conclusion of the pilot program created pursuant to this article, submit a report on the implementation of this article in counties located outside of the city of New York to the governor, the temporary president

of the senate, the speaker of the assembly, the chair of the senate committee on housing, the chair of the senate finance committee, the chair of the assembly committee on housing, and the chair of the assembly ways and means committee. The commissioner of the New York city department of housing preservation and development, or the chief executive officer of the New York city housing authority, or both, shall, on or before November first, two thousand twenty-six and annually thereafter until the conclusion of the pilot program created pursuant to this article, submit a report on the implementation of this article in the city of New York to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate committee on housing, the chair of the senate finance committee, the chair of the assembly committee on housing, and the chair of the assembly ways and means committee. Such report shall include, but need not be limited to, the following: (i) the amount of funding allocated for each county or the city of New York for vouchers pursuant to this article, (ii) the number of individuals or families who applied for vouchers pursuant to this article, (iii) the number of individuals or families placed on waiting lists for vouchers pursuant to this article, if any such waiting lists exist, (iv) the number of individuals or families issued vouchers pursuant to this article, (v) the number of individuals or families who were homeless prior to receiving a voucher pursuant to this article, (vi) the voucher utilization rate for vouchers pursuant to this article, (vii) the median income of individuals or families issued vouchers pursuant to this article, (viii) the median payment standard per dwelling unit, including the monthly assistance payment and monthly rent obligation, for vouchers pursuant to this article, and (ix) the number of individuals or families who had been issued vouchers pursuant to this article but who became no longer financially eligible for vouchers pursuant to this article during the reporting period.

* NB Expires May 1, 2030

ARTICLE XV

NEW YORK CITY PUBLIC HOUSING PRESERVATION TRUST

Section 625. Short title.

626. Legislative findings.

- 627. Definitions.
- 628. New York city public housing preservation trust.
- 629. Powers and duties of the trust.
- 630. Transfer of property.
- 631. Resident protections and opportunities.
- 632. Compliance with codes.
- 633. Contracts of the trust.
- 634. Alternative project delivery contracts.
- 635. Additional authority.
- 636. Additional requirements for alternative project delivery contracts.
- 637. Borrowing by the trust and for its benefit; effects of certain defaults.
- 638. Resources of the trust.
- 639. Legal investment and deposit.
- 640. Tax exemption and tax contract by the state.
- 641. Actions against the trust.
- 642. Civil service and pension system membership.
- 643. Collective negotiation.
- 644. Application of state and local human rights laws.
- 645. Limited liability.
- 646. Audit and annual reports.
- 647. Jurisdiction over trust.
- 648. Effect of inconsistent provisions.
- 649. Severability.

§ 625. Short title. This article shall be known and may be cited as the "New York city public housing preservation trust act".

§ 626. Legislative findings. The legislature hereby finds and declares that significant capital investment is required to design, develop, construct, reconstruct, improve, modernize, rehabilitate, and repair the aging buildings owned or operated by the New York city housing authority which are deteriorating due to decades of diminishing capital investment. Restrictions relating to the New York city housing

authority's construction process, and its inability to utilize innovative project delivery methods, have exacerbated its capital needs. A new public entity with greater flexibility to leverage capital investment and to manage the rehabilitation of these properties must be established. Repairing, modernizing, and improving New York city housing authority buildings must begin immediately so that hundreds of thousands of New Yorkers can reside in affordable housing that is decent, safe, sanitary, and in good repair. Establishing a new public entity, and transferring a leasehold interest in the buildings owned and operated by the New York city housing authority to this new entity so that they can undergo the necessary rehabilitation, repair and modernization, will ensure that these buildings continue to provide affordable housing to residents of New York city for many decades into the future. It is the understanding and intention of the legislature that any building transferred to this new public entity and operated by the New York city housing authority shall continue to be subject to the obligations imposed by *Maribel Baez et al. v. New York City Housing Authority*, No. 13-Civ-8916.

§ 627. Definitions. As used or referred to in this article:

1. "Alternative project delivery contract" means any project delivery method authorized by this article, including construction manager build, construction manager at risk, and design-build, pursuant to which one or more contracts for the provision of design or construction management and construction services are awarded pursuant to an open and competitive method of procurement, as specified in section six hundred thirty-four of this article.

2. "Best value" means the basis for awarding contracts for services to a proposer that optimizes quality, cost and efficiency, price and performance criteria, which may include, but is not limited to:

- (a) the quality of the proposer's performance on previous projects;
- (b) the timeliness of the proposer's performance on previous projects;
- (c) the level of customer satisfaction with the proposer's performance on previous projects;

- (d) the proposer's record of performing previous projects on budget and ability to minimize cost overruns;
- (e) the proposer's ability to limit change orders;
- (f) the proposer's ability to prepare appropriate project plans;
- (g) the proposer's technical capacities;
- (h) the individual qualifications of the proposer's key personnel;
- (i) the proposer's ability to assess and manage risk and minimize risk impact;
- (j) the proposer's financial capability;
- (k) the proposer's ability to comply with applicable requirements, including the provisions of articles one hundred forty-five, one hundred forty-seven and one hundred forty-eight of the education law;
- (l) the proposer's past record of compliance with federal laws, state and local laws, rules, licensing requirements, where applicable, and executive orders, including, but not limited to, section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, or any successor provision, article fifteen-A of the executive law, any other applicable laws concerning minority- and women-owned business enterprise participation, the labor law, and any other applicable labor and prevailing wage laws;
- (m) the proposer's record of complying with existing labor standards, maintaining harmonious labor relations, and protecting the health and safety of workers and payment of wages above any locally-defined living wage;
- (n) a quantitative factor to be used in evaluation of bids or offers for awarding of contracts for bidders or offerors that are certified as minority or women owned business enterprises pursuant to article fifteen-A of the executive law or certified pursuant to section thirteen hundred four of the New York city charter as minority or women owned business enterprises, or where the bidder is a joint venture including at least one such certified firm. Where the trust identifies a quantitative factor pursuant to this paragraph, the trust shall specify that businesses certified as minority or women owned business enterprises pursuant to article fifteen-A of the executive law as well as those certified as minority or women owned business enterprises pursuant to section thirteen hundred four of the New York city charter, or joint ventures including at least one such certified firm, are

eligible to qualify for such factor. Nothing in this paragraph shall be construed to require that such businesses be concurrently certified as minority or women owned business enterprises under such article and such section to qualify for such quantitative factor; and

(o) a quantitative factor to be used in evaluation of bids or offers for awarding of contracts for bidders or offerors that provide economic opportunities for low and very low-income persons in accordance with section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, where applicable, or any successor provision. Such basis shall reflect, wherever possible, objective and quantifiable analysis.

3. "Board" means the board of trustees of the trust.

4. "City" means the city of New York.

5. "Construction manager at risk" means a project delivery method whereby a construction manager:

(a) serves as part of a team in conjunction with the owner in the design phase of the project;

(b) during the construction phase, acts as general contractor for agreed upon compensation as set forth in the construction manager at risk agreement; and

(c) assumes the risk of construction costs exceeding an amount specified in the construction manager at risk agreement.

6. "Construction manager build" means a project delivery method whereby a construction manager, following a declaration of a disaster by the governor or state of emergency by the mayor pursuant to article two-B of the executive law or chapter one of title three of the administrative code of the city of New York, or following an independent cost estimate and a concurrence by NYCHA that construction work is required at a housing facility to remedy defects to bring the housing facility into decent, safe, and sanitary condition:

(a) serves as part of a team in conjunction with the owner in the design phase of the project;

(b) under the oversight of the owner acts as the single source of

responsibility to bid, select and hold construction contracts on behalf of the owner during the construction phase; and

(c) manages the construction project on behalf of the owner.

7. "Cost plus" means compensating a contractor for the cost to complete a contract by reimbursing actual costs for labor, equipment and materials plus an additional amount for overhead and profit.

8. "Design-build" means a project delivery method for the design and construction of a project with a single entity, which may be a team comprised of separate entities.

9. "Ground lease" means the written instrument pursuant to which NYCHA transfers to the trust its leasehold interest in its housing facilities and ancillary personal property.

10. "Housing facilities" means the land and buildings thereon owned or operated by NYCHA and the improvements made to such land and buildings for use in connection with development or operation of dwelling accommodations for low-income families.

11. "Low-income families" means low-, very low-, and extremely low-income families as defined in paragraph two of subsection (b) of section 1437a of title forty-two of the United States code or any successor provision.

12. "Mayor" means the mayor of the city of New York.

13. "NYCHA" means the New York city housing authority.

14. "NYCHA board" means the members of NYCHA appointed pursuant to subdivision three of section four hundred two of this chapter.

15. "NYCHA CEO" means the chief executive officer of NYCHA who serves pursuant to NYCHA's by-laws.

16. "NYCHA CFO" means the chief financial officer of NYCHA who serves

pursuant to NYCHA's by-laws.

17. "Other residents" means residents who are:

(a) residents of a housing facility on the date NYCHA transfers such facility to the trust but are not low-income families, as defined in this section, on the date of such transfer;

(b) low-income families, as defined in this section, and residents of a housing facility on the date NYCHA transfers such facility to the trust but who, subsequent to such transfer and during the course of the tenancies of such residents, no longer satisfy the definition of low-income families; or

(c) low-income families, as defined in this section, upon commencement of their tenancies in a housing facility operated by the trust but who, during the course of the tenancies of such residents, do not satisfy the definition of low-income families.

18. "Project labor agreement" shall have the same meaning as described in section two hundred twenty-two of the labor law.

19. "Resident" means a natural person whose lawful primary residence is a dwelling unit in a housing facility.

20. "Trust" means the New York city public housing preservation trust.

21. "Voting process" means the process that shall be undertaken at a particular housing facility before the trust may transfer, convey, assign, mortgage, pledge or otherwise encumber any interest in, or permit or suffer any transfer, conveyance, assignment, mortgage, pledge or other encumbrance of any interest in such housing facility. The voting process shall be further defined as set forth in requirements promulgated pursuant to section six hundred thirty of this article.

§ 628. New York city public housing preservation trust. 1. There is hereby established a public benefit corporation to be known as the "New York city public housing preservation trust". The purpose of such trust shall be the design, development, construction, reconstruction,

improvement, modernization, rehabilitation, repairing and operation of housing facilities.

2. The trust shall be governed by and its powers shall be exercised by a board of trustees consisting of nine members. The members shall be the NYCHA CEO, the NYCHA CFO, the deputy mayor for housing and economic development of the city of New York, or another deputy mayor designated by the mayor if there is no deputy mayor with that designation, three members appointed by the NYCHA CEO, including two housing facility resident members and one member at large, provided that one such housing facility resident member shall be selected from two candidates nominated by the recognized citywide council of presidents, or an equivalent successor body, and one such housing facility resident member shall be selected from two candidates nominated by the resident advisory board, or an equivalent successor body, and three members appointed by the mayor, including two housing facility resident members, provided that one such housing facility resident member shall be selected from two candidates nominated by the recognized citywide council of presidents, or an equivalent successor body, and one member who shall represent employees of NYCHA, as applicable, and be selected from two candidates nominated by organizations representing employees of NYCHA or the trust, as applicable. The NYCHA CEO shall be the chair of the trust. The board of trustees of the trust shall appoint the president of the trust. The term of each member, other than members serving by virtue of their positions, shall be three years, except at initial appointment when the terms shall be staggered so that no more than two members shall have terms that end in any given year, provided that the term of only one member appointed by the mayor shall end in any given year.

3. Each appointed member shall continue in office until a successor has been appointed and qualified unless otherwise removed as follows. A member may be removed by the NYCHA CEO or mayor, whichever appointed such member, upon the filing in the office of the trust and serving upon the member the reasons therefor. Such document setting forth the reasons shall be made available to the general public which shall include, but not be limited to, publishing such reasons on the websites of the trust and NYCHA. In the event a vacancy occurs in the office of an appointed

member, the vacancy shall be filled in the same manner as was the original appointment of the member whose office became vacant.

4. Appointed members may engage in private employment, or in a profession or business, unless otherwise prohibited by law, rule or regulation, provided, however, that notwithstanding any applicable provision of law, the members shall be subject to the limitations contained in sections two thousand six hundred three, two thousand six hundred four, two thousand six hundred five, and two thousand six hundred six of the New York city charter. The trust shall be an agency and such members shall be public servants for the purposes of such sections. In addition, such members shall be subject to the provisions of section one thousand one hundred sixteen of the New York city charter and shall for the purposes of such section be considered officers of the city. Further, such members, the president and certain critical employees of the trust as designated by the board or the president, shall be subject to the provisions of section 12-110 of the administrative code of the city of New York pertaining to the filing of annual disclosure reports with the city conflicts of interest board, and for such purpose, the members of the board of trustees shall be deemed to be compensated members of the trust.

5. The board shall provide for the holding of regular meetings, and such special meetings, at the call of the chair of the trust, as may be necessary. A majority of the whole number of members shall constitute a quorum for the transaction of business. The powers of the board shall be vested in and exercised by a majority of the whole number of the members thereof. Any one or more members of the board may participate in a meeting of the trust by means of videoconferencing consistent with article seven of the public officers law.

6. Members of the board, other than members serving by virtue of their positions, shall receive a stipend in the amount of two hundred fifty dollars for every four hours of work performed for the trust, not to exceed one thousand five hundred dollars per month. In addition, members shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their official duties as members of the board

of trustees.

7. The board shall appoint a president of the trust and determine the compensation of the president. The president, who shall not be a member of the board, shall be the chief executive officer of the trust and shall be responsible for the discharge of the executive and administrative functions and powers of the trust, including the exercise of any powers delegated by the board to the president. The president shall serve at the pleasure of the board.

8. The trust and its corporate existence shall continue until terminated by law, provided, however, that no such law shall take effect so long as the trust shall have bonds, notes and other obligations outstanding, unless adequate provision has been made for the payment thereof. Upon the termination of the existence of the trust, all its rights and properties shall pass to and be vested in NYCHA.

9. Notwithstanding any provision of law to the contrary, no officer or employee of the state, or of any civil division thereof, or of any public corporation, as defined in the general construction law, including NYCHA, shall be deemed to have forfeited or shall forfeit such person's office or employment or any benefits provided under the retirement and social security law or under any public retirement system maintained by the state or by the civil divisions thereof, or by any such public corporation, by reason of such person's acceptance of membership on the board of the trust or by virtue of such person being an officer or employee of the trust.

§ 629. Powers and duties of the trust. The trust shall have the following powers and duties:

1. to sue and be sued;
2. to have a seal and alter the same at pleasure;
3. to make and, as necessary, to amend and repeal by-laws for the

trust and the management and regulation of its affairs not inconsistent with the provisions of this article;

4. to appoint the president of the trust and fix the president's compensation, pursuant to section six hundred twenty-eight of this article, and to execute direct oversight of the president and other management in the effective and ethical management of the trust, and establish policies regarding the payment of salary, compensation and reimbursements to, and establish rules for the time and attendance of the president and management;

5. to engage or assist in the development, design, construction, reconstruction, improvement, modernization, rehabilitation, repairing, and operation of housing facilities pursuant to section two hundred twenty of the labor law;

6. to acquire or transfer real and personal property and improvements thereon, or any interest therein, by any method, necessary or convenient for the exercise of its functions, powers and duties; provided that such transfer shall not be utilized to avoid the use of a project labor agreement or payment of the prevailing wage requirements set forth in section two hundred twenty of the labor law;

7. to encumber residential property and buildings held by the trust and limit use to residents who are low-income families as defined in subdivision eleven of section six hundred twenty-seven of this article and other residents as defined in subdivision seventeen of section six hundred twenty-seven of this article;

8. to make and execute contracts and all other instruments necessary or convenient for the exercise of its functions, powers and duties, including procurement contracts consistent with applicable provisions of this article. Notwithstanding any provision of law to the contrary, including but not limited to article eight of this chapter, the trust may enter into contracts, consistent with applicable provisions of this article, with NYCHA or on behalf of and for the benefit of NYCHA;

9. to enter into agreements with the NYCHA or other entities for the provision of management, maintenance and other services;

10. notwithstanding the provisions of section twenty-five hundred four of the insurance law or any other provision of law to the contrary, to procure or cause to be placed or procured insurance on behalf of itself and others against any loss in connection with its activities, properties and other assets, in such amounts and from such insurers as it deems desirable;

11. to enter into agreements with public agencies and public entities for the receipt of services;

12. to borrow and loan funds and issue bonds, notes or other obligations consistent with this article;

13. to form or participate as members or partners of private entities, which may include but are not limited to, not-for-profit corporations, housing development fund corporations, limited liability corporations, and limited partnerships, to further the purposes and powers given and granted by this section;

14. to earn fees and other proceeds from the activities and powers given and granted by this section;

15. to apply for or accept from any source any gifts, grants, donations, or conveyances of land, money, other real or personal property, or other items of value, or loans of funds or property or financial or other aid or credit assistance in any form, including any guaranty, line of credit, or grant, from the federal government or any agency or instrumentality thereof, from the state or any agency or instrumentality thereof, from the city or any agency or instrumentality thereof, or from any other source, for any or all of the purposes specified in this article, and it may comply, subject to the provisions of this article, with the terms and conditions thereof;

16. prior to the approval of any rule or regulation affecting rights

and protections afforded to residents of housing facilities, including, but not limited to, resident protections and opportunities pursuant to section six hundred thirty-one of this article, lease revisions, schedules of special charges for services, repairs and utilities, and rules and regulations to be incorporated into the lease by reference, the trust shall post a notice containing the proposed rule or regulation on the website of the trust and in a prominent location in the affected housing facility. Such notice shall include (a) a statement of the basis and purpose of the proposed rule, (b) the time and place of the meeting at which the board will provide residents an opportunity to provide oral comment on such proposed rule, provided that a meeting to provide residents an opportunity to provide oral comment shall not be required if such rule is required by law with only minor, if any, exercise of discretion by the trust, or does not adversely affect the protections afforded to the residents of the housing facilities, and (c) an opportunity to submit written comments and the final date for receipt of written comments. The trust may adopt a rule or regulation after receiving written comments on the proposed rule or regulation for a period of at least thirty days. The trust shall consider all comments received in such period prior to adopting such rule or regulation. In the event the trust determines that immediate adoption of any rule or regulation is necessary for the preservation of health, safety or general welfare and that compliance with the foregoing requirements of this subdivision would be contrary to the public interest, such proposed item may be adopted on an emergency basis. The trust shall provide written justification for such determination and make such justification publicly available including via its website and in a prominent location in the affected housing facility. Any such immediate adoption shall only remain in effect for sixty days, and during such time the trust shall comply with the requirements of this subdivision in order for the adoption of the rule or regulation to become permanent. All notice shall be undertaken in compliance with language access requirements in federal and state law, as applicable; and

17. to do any and all things necessary or convenient to carry out and exercise the powers given and granted by this article.

§ 630. Transfer of property. 1. NYCHA, acting by NYCHA board resolution and in accordance with a disposition or similar plan approved by the United States department of housing and urban development in accordance with applicable federal law, which shall include a letter of approval from the mayor or a designee of the mayor, may transfer to the trust, with or without consideration and without any further authorization, a leasehold interest in its housing facilities and any ancillary personal property of such facilities. The aggregate number of residential units transferred to the trust pursuant to this section shall not exceed twenty-five thousand. On an annual basis, NYCHA and the trust shall review such limit and, if they determine that such limit should be increased, NYCHA and the trust shall make recommendations to the legislature regarding any such increase.

2. Within sixty days of the effective date of this article, NYCHA shall issue a set of proposed requirements related to the voting process. There shall be a comment period for the voting process, and the comment period shall include at least one meeting open to the public. NYCHA shall consider the comments before issuance of the final requirements for the voting process. The comments, and the responses to such comments, shall be published publicly, including, but not limited to, on NYCHA's website. Within one hundred twenty days of the effective date of this article, the final requirements for the voting process, which may be amended as needed pursuant to the process described in this section, shall be posted. Such voting process requirements shall include: the minimum requirements for voter outreach that shall occur prior to any vote, which shall, at a minimum, conform to the requirements set forth in subdivision five of this section, voting eligibility, the form, substance, and timing of the voting process, the voting requirements regarding the selection of any other proposed modernization strategy at a housing facility in connection with the voting process, and the criteria by which an option shall be deemed to be accepted or rejected by residents of a particular housing facility for a modernization strategy that addresses the capital needs of such housing facility. The voting process shall ensure that all tenants of record above the age of eighteen are eligible to vote. The voting

process shall include options to vote in person, by mail, and online. The voting process shall also require a minimum percentage of tenants of record at such housing facility to participate in the voting process for such voting process to be valid. The voting process shall also include, but shall not be limited to, the ability of residents at a particular housing facility to reject the options proposed for such housing facility submitted as part of the voting process. If all options are rejected at a particular housing facility, none of the proposed options shall be implemented at such housing facility until another vote is undertaken at such housing facility. NYCHA shall comply with a vote to accept or reject any such options. The trust shall not transfer, convey, assign, mortgage, pledge or otherwise encumber any interest in, or permit or suffer any transfer, conveyance, assignment, mortgage, pledge or other encumbrance of any interest in such housing facility, or any part thereof, prior to the posting of the final requirements for the voting process, prior to the completed vote at such housing facility approving such option, and prior to the satisfaction of applicable federal law and regulations. NYCHA shall not transfer, convey, assign, mortgage, or pledge to the trust, or permit or suffer any transfer, conveyance, assignment, mortgage, or pledge to the trust any interest in such housing facility, or any part thereof, prior to the posting of the final requirements for the voting process, prior to the completed vote at such housing facility approving such option, and prior to the satisfaction of applicable federal law and regulations.

3. In addition to the requirements set forth in subdivision two of this section, the trust shall not transfer, convey, assign, mortgage, pledge or otherwise encumber any interest in, or permit or suffer any transfer, conveyance, assignment, mortgage, pledge or other encumbrance of any interest in any housing facilities, or any part thereof without prior written consent of NYCHA. Such written consent shall include, but not be limited to, all protections described in section six hundred thirty-one of this article and in subdivision fourteen of section six hundred thirty-seven of this article and shall include reference to section six hundred thirty-three of this article.

4. The trust shall ensure that any housing facilities transferred to

the trust pursuant to this section and any portions thereof are leased in accordance with United States department of housing and urban development eligibility and income-targeting requirements, to the extent applicable to the units therein. Rents for such units shall not exceed applicable program requirements for the provision of housing for low-income families as established pursuant to federal law and regulations. Where NYCHA rules, regulations or agreements exceed the resident protection standards set forth in state or federal law or regulations, any housing facilities transferred to the trust pursuant to this section and any portions thereof shall be leased in accordance with the requirements set forth in the NYCHA rules, regulations, or agreements, as applicable. To the extent consistent with federal law and regulations, any transfer of a housing facility to the trust pursuant to this article shall ensure the maintenance of all rights conferred on a resident at the time of such transfer.

5. As part of the voting process and prior to the transfer of any housing facility, or any part thereof, to the trust, NYCHA shall engage in a course of resident engagement. Such resident engagement shall include: (a) Notice of proposed options on the website of NYCHA and in a prominent location of the affected housing facility in compliance with language access requirements in federal and state law, as applicable;

(b) a summary description of the proposed options;

(c) the time and place of at least one public meeting held in accordance with applicable accessibility requirements at which NYCHA shall provide residents of such facility information about the proposed options and an opportunity to provide oral comment on the proposed transfer;

(d) notification by mail, phone, and email, where such contact information is available, at least thirty days prior to a vote, to all residents of such housing facility, which shall include information detailing the proposed options; and

(e) an opportunity for residents to submit written comments and the final date for submission of such comments. NYCHA shall consider and respond to all comments received in such period prior to completing a transfer pursuant to this subdivision.

§ 631. Resident protections and opportunities. 1. The protections afforded to a resident of a housing facility shall be consistent with those afforded to a public housing resident, to the extent permitted in accordance with federal law, and subject to and with the approval of the United States department of housing and urban development. These protections shall include, but are not limited to:

(a) preserving the affordable character of such housing facility in accordance with section eight of the United States housing act of nineteen hundred thirty-seven, as amended, or any successor provision and with part five of title twenty-four of the code of federal regulations or any successor regulation;

(b) ensuring that any resident required to relocate temporarily for purposes of rehabilitation or redevelopment of such housing facility is guaranteed the ability to return to such housing facility following the completion of such rehabilitation or redevelopment, and that the relocation expenses of such temporary relocation be paid for by the trust or NYCHA as required by applicable federal law;

(c) providing a resident of such housing facility the opportunity to establish and operate a council to represent residents in such housing facility to address concerns relating to such facility, pursuant to subpart b of part nine hundred sixty-four of title twenty-four of the code of federal regulations or any successor regulation, and to be eligible for resident participation funding from the trust consistent with funding available to residents of public housing pursuant to section 964.150 of title twenty-four of the code of federal regulations or any successor regulation, provided that any resident council that, at the time of the transfer of a housing facility to the trust, is certified by NYCHA as the resident council shall be recognized by the trust as the resident council of such housing facility;

(d) providing a resident of a housing facility an opportunity for an informal hearing to grieve any dispute that such resident may have with respect to an action of the trust with regard to such resident's lease, consistent with the obligation of a public housing agency pursuant to paragraph eight of subdivision (e) of section 966.4 of title twenty-four of the code of federal regulations or any successor regulations and pursuant to subpart b of part nine hundred sixty-six of title

twenty-four of the code of federal regulations or any successor regulations;

(e) providing a resident of a housing facility automatic renewal of such resident's leases, except for good cause as specified in the lease between such resident and the trust, consistent with the requirements relating to a lease between a public housing agency and a tenant of a dwelling unit pursuant to subparagraph (i) of paragraph two of subdivision (a) and subdivision (l) of section 966.4 of title twenty-four of the code of federal regulations or any successor regulation;

(f) determining succession to a lease between a resident and the trust in accordance with the succession policy described in the management manual, and any amendments to such manual, of NYCHA;

(g) permitting a resident whose total tenant payment, as defined in section 983.3 of title twenty-four of the code of federal regulations, or any successor regulations, would equal or exceed the rent to owner, as defined in section 983.3 of title twenty-four of the code of federal regulations or any successor regulations, to remain in a housing facility and pay rent in an amount to be determined by the trust and NYCHA and as set forth in the lease of such resident;

(h) determining succession to a voucher pursuant to section eight of the United States housing act of nineteen hundred thirty-seven, as amended, or any successor provision, in accordance with the housing voucher program administrative plan, and any amendments to such plan, of NYCHA; and

(i) no rescreening for eligibility or right-sizing of residents of a housing facility as a result of a transfer of the leasehold interest from NYCHA to the trust.

2. The resident protections described in subdivision one of this section shall be enumerated in the ground lease or other appropriate agreement between NYCHA and the trust and shall be further enumerated in writing between the trust and each resident of a housing facility. Nothing in this section shall preclude the trust or NYCHA from providing additional resident protections, which may be enumerated in any such ground lease or agreement.

3. The trust, to the greatest extent feasible, and consistent with federal, state and local laws and regulations, shall ensure that employment and other economic opportunities be directed to residents of the housing facilities, consistent with section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, and part seventy-five of title twenty-four of the code of federal regulations or any successor law or regulation. All project labor agreements shall be consistent with this subdivision.

4. The trust shall act in accordance with the full requirements of part nine hundred sixty-four of title twenty-four of the code of federal regulations or any successor regulation. The trust shall, among other requirements, support resident participation in the operations of the housing facilities and negotiate, with any resident management corporations, or equivalent that satisfies the requirements of such part, for operation of a housing facility. The trust shall consider applications of resident organizations, community organizations or other local organizations for grant funding, as available, to provide training, technical assistance, and education to residents to support active resident participation in the planning and implementation of the conversion process.

5. The trust shall ensure residents participate in the process to procure the vendors that will perform capital renovation, modernization, and construction work, excluding emergency procurements.

6. The trust shall create committees consisting of members as appropriate, which shall include, but not be limited to, trust employees and residents of the housing facility where construction, reconstruction, rehabilitation, alteration, renovation, maintenance and repair work is being performed, and such committees shall meet as needed to provide input, and oversight, along with recommendations, with respect to the quality of such work performed by the vendors of the trust.

7. The trust and NYCHA shall, in accordance with applicable law, establish a procedure and eligibility requirements by which a person who

is not a tenant of record as of thirty days before the execution of the transfer of a leasehold interest in the housing facility to the trust may become a tenant of record based on consideration of the familial nexus of such person to the last tenant of record on file with NYCHA, such individuals to include, but not be limited to, aunts, uncles, nieces, nephews, and first cousins, provided that such applications to become a tenant of record following the transfer of a leasehold interest in the housing facility to the trust shall be made no later than thirty days before such transfer. Any requests received after such date will be reviewed in accordance with the policies described in the administrative plan, and any amendments to such plan, of NYCHA.

§ 632. Compliance with codes. 1. The trust shall, in the design, development, construction, reconstruction, improvement, modernization, rehabilitation, repair, and operation of or otherwise providing for housing facilities, comply and cause all contractors of the trust to comply with applicable sanitary and building laws and regulations.

2. The trust shall adopt rules or regulations establishing sustainable design guidelines for the development, construction, reconstruction, improvement, modernization, rehabilitation, repair, and operation of, or otherwise providing for, housing facilities, which shall include criteria for beneficial electrification and renewable energy production in furtherance of the goals of decarbonized buildings, use of sustainable materials, and energy and water efficiency.

§ 633. Contracts of the trust. 1. Notwithstanding any provision of law to the contrary, including but not limited to article eight of this chapter, the trust shall establish and maintain procurement policies that shall set forth the methods and procedures by which the trust shall procure contracts for goods and services, including but not limited to services for design, development, construction, reconstruction, improvement, modernization, rehabilitation, repair and operation, related to property owned or leased by the trust, in a manner consistent with the provisions of this article. Such policies shall specifically

include:

(a) a competitive sealed bidding process for the award of contracts in which sealed bids are publicly solicited or solicited from a list of prequalified bidders and opened and a contract is awarded to the lowest responsive, responsible bidder;

(b) processes for awarding contracts for goods and services using alternatives to competitive sealed bidding where competitive sealed bidding is not practicable or not advantageous, in which case the trust shall use the most competitive method of procurement that is appropriate under the circumstances to select the proposer offering the best value to the trust;

(c) a process for prequalifying bidders and proposers based on criteria, which may include an entity's experience, past performance, ability to undertake work, financial capability, responsibility, reliability and status as a certified minority or women owned business enterprise pursuant to article fifteen-A of the executive law or section thirteen hundred four of the New York city charter;

(d) reasonable procedures to secure the meaningful participation of minority and women owned business enterprises in the trust's procurement process. The trust may use the same measures to enhance minority and women owned business enterprise participation as are available to the city pursuant to applicable law, including section 6-129 of the administrative code of the city of New York;

(e) processes for awarding alternative project delivery contracts, in a manner consistent with the terms of section six hundred thirty-four of this article;

(f) procedures for the fair and equitable resolution of contract disputes, for appeals of responsiveness and responsibility determinations by the trust, and for appeals of prequalification determinations;

(g) a process for making purchases off contracts procured by public agencies and public entities, provided that such contract exists between a vendor and (1) the United States General Services Administration, (2) the state of New York or any of its political subdivisions, (3) another public authority or public corporation of the state, (4) another public housing agency or public housing authority, or (5) any purchasing cooperative where the lead purchasing entity is any of the foregoing,

provided that in any case when the trust under this paragraph determines that obtaining such item thereby would be in the public interest and provide for greater economy and efficiency and sets forth the reasons for such determination. Such rationale shall include, but not be limited to, a determination of need, a consideration of the procurement method by which the contract was awarded, an explanation why a competitive procurement or the use of a centralized contract let by the commissioner of the office of general services is not in the best interest of the trust, and the reasonableness of cost; and

(h) a mechanism for procurements without a formal competitive process where:

(1) the existence of an emergency involving danger to life, safety or property requires immediate action and cannot await a competitive process for goods or services to be purchased, including, but not limited to, services for construction, reconstruction, rehabilitation, alteration, renovation, maintenance or repairs, which are essential to efficient operation or the adequate provision of service by the trust and as a consequence of unforeseen circumstance such purchase cannot await a competitive process;

(2) a procurement's value does not exceed fifty thousand dollars;

(3) the trust receives no responsive bids or only a single responsive bid in response to a solicitation for competitive bids or proposals;

(4) a procurement's value does not exceed five hundred thousand dollars and is made from a business certified as a minority or women owned business enterprise pursuant to article fifteen-A of the executive law and section thirteen hundred four of the New York city charter. Nothing in this paragraph shall be construed to require that such business be concurrently certified as minority or women owned business enterprises under article fifteen-A of the executive law and section thirteen hundred four of the New York city charter to be awarded such a contract;

(5) a duly appointed representative of the trust determines in writing that, based on a market analysis, only one source for the required goods or services, including but not limited to, services for construction, reconstruction, rehabilitation, alteration, renovation, maintenance and repairs, are available; or

(6) the contract is a contract between the trust and another

governmental entity, including, but not limited to NYCHA.

2. Construction performed under a contract entered into by the trust pursuant to this article shall be deemed a public work to be performed in accordance with the provisions of article eight of the labor law, including but not limited to the prevailing wage requirements set forth in section two hundred twenty of the labor law and the reporting, monitoring, and enforcement provisions of such article, and for projects or public works receiving federal aid, applicable federal requirements for prevailing wage. Any contract, the principal purpose of which is to provide construction services and that is either entered into through a competitive sealed bidding process or pursuant to section six hundred thirty-four of this article, and undertaken pursuant to a project labor agreement, shall include a clause requiring the selected alternative project delivery contractor or the contractor selected on the basis of its sealed bid to obligate every tier of contractor working on the public work to comply with the project labor agreement referenced in section six hundred thirty-four of this article and this section, and shall include project labor agreement compliance monitoring and enforcement provisions consistent with any such project labor agreement.

3. Contracts of the trust shall be subject to sections 6-108 and 6-123 of the administrative code of the city of New York, and the trust shall constitute a "contracting agency" for the purposes of section 6-123 of the administrative code of the city of New York.

4. The provisions of section one hundred six-b of the general municipal law shall apply to the trust.

5. The provisions of section one hundred fifty-one-a of this chapter shall apply to the trust.

6. Unless a federal requirement conflicts with any procurement procedure set forth in this article, the trust shall be required to comply with such procedure.

§ 634. Alternative project delivery contracts. 1. Notwithstanding any provision of law to the contrary, including but not limited to section seventy-two hundred ten of the education law, and in conformity with the requirements of this article, for any public work undertaken pursuant to a project labor agreement the trust may use alternative project delivery contracts, provided that the authority to advertise a request for qualification in accordance with this section shall expire five years after the effective date of this section.

(a) A contractor selected by the trust to enter into an alternative project delivery contract may be selected through a two-step method, as follows:

(1) Step one. The first step shall be the generation of a list of responding entities that have demonstrated the general capability to perform the alternative project delivery contract. Such list shall consist of a specified number of responding entities, as determined by the trust, and shall be generated based upon the trust's review of responses to a publicly advertised request for qualifications. The trust's request for qualifications shall include a general description of the public work, the maximum number of responding entities to be included on such list, the selection criteria to be used and the relative weight of each criteria in generating such list. Such selection criteria shall include the qualifications and experience of the entity or team of entities, organization, demonstrated responsibility, ability of the entity or team of entities or of a member or members of the entity or team of entities to comply with applicable requirements, including the provisions of articles one hundred forty-five, one hundred forty-seven and one hundred forty-eight of the education law, past record of compliance with the labor law, and such other qualifications the trust deems appropriate, which may include but are not limited to project understanding, financial capability and record of past performance. The trust shall evaluate and rate all responding entities to the request for qualifications. Based upon such ratings, the trust shall list the responding entities that shall receive a request for proposals in accordance with subparagraph two of this paragraph. To the extent consistent with applicable federal law, the trust shall consider, when awarding any contract pursuant to this section, the participation of (i) responding entities that are certified as minority or women owned

business enterprises pursuant to article fifteen-A of the executive law, or certified pursuant to local law as minority or women owned business enterprises, (ii) small business concerns identified pursuant to subdivision (b) of section one hundred thirty-nine-g of the state finance law, and (iii) business concerns that provide economic opportunities for low and very low-income persons in accordance with section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, or any successor provision. In addition, nothing in this section shall be deemed to supersede any prequalification policies adopted by the trust pursuant to section six hundred thirty-three of this article.

(2) Step two. The second step shall be the selection of the proposal which is the best value to the trust. The trust shall issue a request for proposals to the responding entities listed pursuant to subparagraph one of this paragraph. If such a responding entity consists of a team of separate entities, the entities that comprise such a team shall remain unchanged from the responding entity as listed pursuant to subparagraph one of this paragraph unless otherwise approved by the trust. The request for proposals shall set forth the public work's scope of work, and other requirements, as determined by the trust, which may include separate goals for work under the contract to be performed by businesses certified as minority or women owned business enterprises pursuant to article fifteen-A of the executive law, or certified pursuant to local law as minority or women owned business enterprises, or goals established pursuant to section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, or any successor provision, if applicable. The request for proposals shall also specify the criteria to be used to evaluate the responses and the relative weight of each of such criteria. Such criteria shall include: the quality of the proposal's solution; the qualifications and experience of the proposer; the proposal's cost, which may include factors that may be considered individually or in the aggregate, such as the proposed cost of design phase work, the proposed cost of construction phase work, or cost factors relating to construction phase work, as applicable; and other factors deemed pertinent by the trust, which may include, but shall not be limited to, the proposal's manner and schedule of project implementation, the proposer's ability to

complete the work in a timely and satisfactory manner, maintenance costs of the completed public work, maintenance of traffic approach, and community impact. The trust may engage in negotiations or other discussions with all qualified vendors that have expressed interest, provided that the trust maintains a written record of the conduct of negotiations or discussions and the basis for every determination to continue or suspend negotiations, and further provided that if the trust determines for a particular contract or for a particular type of contract that it is in the trust's best interest to negotiate or enter into discussions with fewer proposers, it may make such a determination in writing. If the trust enters into such negotiations, the trust shall allow all proposers to revise their proposals upon conclusion of negotiations, and the trust shall evaluate the proposers' revised proposals using the criteria included in the request for proposals. Any contract awarded pursuant to this section shall be awarded to a responsive and responsible proposer, which, in consideration of these and other specified criteria deemed pertinent, offers the best value as determined by the trust. The request for proposals shall include a statement that proposers shall designate in writing those portions of the proposal that contain trade secrets or other proprietary information that are to remain confidential, so that the material designated as confidential shall be readily separable from the proposal. Nothing in this subdivision shall be construed to prohibit the trust from negotiating final contract terms and conditions including cost. All proposals submitted shall be scored according to the criteria listed in the request for proposals and such final scores shall be published on the trust's website after the date upon which such contract may be implemented.

(b) The trust, in awarding an alternative project delivery contract to a contractor offering the best value may use the following types of contracts:

(1) a cost-plus not to exceed guaranteed maximum price form of contract in which the trust shall be entitled to monitor and audit all costs. In establishing the schedule and process for determining a guaranteed maximum price, the contract between the trust and the contractor shall include terms specifying the price for the design phase of the work, the scope of the work, and any applicable cost factors

relating to construction phase work that were included in the contractor's proposal. A fair and reasonable guaranteed maximum price for the construction phase of the work, or portions of the construction phase of the work, may be agreed to as one or more amendments to such contract based on developments in the design of the project that occur after such contract is executed. Each guaranteed maximum price amendment shall: (i) describe the scope of the portion of the construction phase work subject to the amendment, the cost of performing such work, and the maximum costs of any contingencies related to such work, (ii) include a detailed line item cost breakdown, (iii) include a list of all drawings, specifications and other information on which the guaranteed maximum price is based, (iv) include the dates of substantial and final completion on which the guaranteed maximum price is based, as applicable, and (v) include a schedule of unit prices. The trust shall maintain a written record of each guaranteed maximum price amendment, which shall include a summary of the negotiation process and a description of the relevant developments in the design of the project, independent cost estimates prepared by or on behalf of the trust, as required pursuant to a policy established by the trust, the contractor's actual cost schedules and unit prices, and any other factors that the trust considered. If the trust and the contractor cannot agree upon a guaranteed maximum price for one or more portions of construction phase work, the trust may direct the contractor to assign all or a portion of the duties and rights under such alternative project delivery contract to another responsive and responsible proposer pursuant to subparagraph two of paragraph (a) of this subdivision that offered the best value of the remaining proposers and that will agree to accept such assignment. This subparagraph shall not be deemed to prohibit the use of any contract terms or procedures pursuant to any other provision of law, including but not limited to provisions included in this article;

(2) a lump sum contract in which the contractor agrees to accept a set dollar amount for a contract which comprises a single bid without providing a cost breakdown for all costs such as for equipment, labor, materials, as well as such contractor's profit for completing all items of work comprising the public work;

(3) incentive payments identified in the text of the contract for performance objectives; or

(4) a combination of elements of the contract types listed herein.

2. All alternative project delivery contracts entered into pursuant to this section shall include a clause requiring that any professional services regulated by articles one hundred forty-five, one hundred forty-seven and one hundred forty-eight of the education law shall be performed and stamped and sealed, where appropriate, by a professional licensed in accordance with the appropriate article.

3. The submission of a proposal or responses or the execution of an alternative project delivery contract pursuant to this article shall not be construed to be a violation of section six thousand five hundred twelve of the education law.

4. Each alternative project delivery contract entered into by the trust pursuant to this article shall comply with the objectives and goals relating to the performance of design and construction services by minority and women owned business enterprises pursuant to section 6-129 of the administrative code of the city of New York, or, for projects or public works receiving federal aid, applicable federal requirements for disadvantaged business enterprises or minority and women owned business enterprises and section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, or any successor provision, if applicable.

5. (a) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all employees of NYCHA and the trust solely in connection with the use of an alternative project delivery contract pursuant to this section shall be preserved and protected.

(b) The use of alternative project delivery contracts pursuant to this section shall not result in the (1) displacement of any currently employed worker of NYCHA or loss of position, including partial displacement such as a reduction in the hours of non-overtime work, wages or employment benefits, or result in the impairment of existing collective bargaining agreements to which NYCHA is a party, or (2)

transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of NYCHA to a contractor.

(c) Employees of the trust and NYCHA serving in positions in newly created titles shall be assigned to the appropriate bargaining unit. Nothing contained in this section shall be construed to affect (1) the existing rights of employees of NYCHA pursuant to an existing collective bargaining agreement, (2) the existing representational relationships among employee organizations representing employees of NYCHA, or (3) the bargaining relationships between NYCHA and such employee organizations.

(d) Without limiting contractors' obligations under alternative project delivery contracts to issue their own initial certifications of substantial completion and final completion, public employees of the trust shall review and determine whether the work performed by contractors is acceptable and has been performed in accordance with the applicable alternative project delivery contracts, and if such public employees so determine, such public employees shall accept contractors' substantial or final completion of the public works as applicable. Performance by public employees of the trust of any review described in this subdivision shall not be construed to modify or limit contractors' obligations to perform the work in strict accordance with the applicable alternative project delivery contract or the contractors' or any subcontractors' obligations or liabilities under any law.

§ 635. Additional authority. The procurement authority conferred by this article shall not impact or impair, and shall be in addition to, the authority conferred by the NYCHA modernization investment act and the New York city public works investment act.

§ 636. Additional requirements for alternative project delivery contracts. Construction performed under a contract entered into by the trust pursuant to this article shall be deemed a "public work" to be performed in accordance with the provisions of article eight of the labor law, including but not limited to the prevailing wage requirements set forth in section two hundred twenty of the labor law and the

reporting, monitoring, and enforcement provisions of article eight of such law, as well as subject to sections two hundred, two hundred forty, two hundred forty-one and two hundred forty-two of the labor law, and for projects or public works receiving federal aid, applicable federal requirements for prevailing wage. Any contract entered into pursuant to section six hundred thirty-four of this article, and undertaken pursuant to a project labor agreement, shall include a clause requiring the selected alternative project delivery contractor to obligate every tier of contractor working on the public work to comply with the project labor agreement referenced in section six hundred thirty-four of this article, and shall include project labor agreement compliance monitoring and enforcement provisions consistent with any such project labor agreement.

§ 637. Borrowing by the trust and for its benefit; effects of certain defaults. 1. For the purposes of this section, the term "project" means the acquisition, development, design, construction, reconstruction, improvement, rehabilitation, repairing and operation of housing facilities.

2. The trust shall have the power and is hereby authorized from time to time to issue bonds, notes or other obligations in conformity with applicable provisions of the uniform commercial code, in such principal amounts as it may determine to be necessary to pay the cost of any project and to fund reserves to secure such bonds, notes or other obligations, including costs of issuance and any administrative or incidental expenses in connection therewith, provided that the aggregate principal amount of such bonds, notes or other obligations shall not exceed ten billion dollars plus a principal amount of such bonds, notes or other obligations issued (a) to fund any related debt service reserve fund, (b) to provide capitalized interest, and (c) to provide fees and other charges and expenses, including underwriters' discount, related to the issuance of such bonds, notes or other obligations and the maintenance of such reserves. The trust shall have the power from time to time to refund any bonds, notes or other obligations of the trust by the issuance of new bonds, notes or other obligations, and may issue

bonds, notes or other obligations partly to refund bonds, notes or other obligations of the trust then outstanding and partly to pay the cost of any project. Bonds, notes or other obligations issued by the trust shall be payable as may be designated in the resolution of the trust under which the bonds, notes or other obligations shall be authorized to be issued, subject to any agreements with the holders of outstanding bonds, notes or other obligations pledging any particular revenues or moneys. No bonds, notes or other obligations of the trust or any entity referred to in subdivision thirteen of section six hundred twenty-nine of this article shall be issued or incurred without the prior written approval of the director of management and budget of the city of New York, and no such bonds, notes or other obligations shall be issued for the purpose of refinancing any bonds, notes or other obligations of NYCHA, provided that the proceeds of up to six hundred million dollars of the bonds, notes or other obligations of the trust or any entity referred to in subdivision thirteen of section six hundred twenty-nine of this article may be applied to the payment of outstanding debt incurred by NYCHA in connection with one or more housing facilities, in furtherance of the purposes of this article, including, but not limited to, for the purpose of payment of outstanding energy performance contract debt.

3. The trust shall be authorized to obtain insurance, letters of credit and other credit or liquidity facilities related to its bonds, notes or other obligations.

4. The board may delegate to the chair or the president of the trust the power to set the final terms of bonds, notes or other obligations.

5. Whenever the trust shall determine that the issuance of its bonds, notes or other obligations is appropriate, the trust shall make a determination as to the arrangements necessary for the issuance and sale of such bonds, notes or other obligations, including the underwriting of such bonds, notes or other obligations through the public or private sale of such bonds, notes or other obligations, and such determination shall include compensation for services rendered as the trust deems appropriate. Such determination shall be set forth in a resolution of the trust, which shall authorize issuance of such bonds, notes or other

obligations. The bonds, notes or other obligations shall bear interest at such fixed or variable rates and shall be in such denominations, be in such form, either coupon or registered, be sold at such public or private sale, be executed in such manner, be denominated in United States currency, be payable in such medium of payment, at such place and be subject to such terms of redemption as the trust may provide in such resolution.

6. Any resolution or resolutions authorizing bonds, notes or other obligations or any issue of bonds, notes or other obligations may contain provisions which may be a part of the contract with the holders of the bonds, notes or other obligations thereby authorized as to:

(a) pledging all or part of its revenues, including, but not limited to, project-based or tenant-based assistance pursuant to section eight of the United States housing act of nineteen hundred thirty-seven, as amended, or any successor provision, and assistance provided to NYCHA pursuant to section nine of the United States housing act of nineteen hundred thirty-seven, as amended, or any successor provision, together with any other moneys, securities or contracts, to secure the payment of the bonds, notes or other obligations, subject to such agreements as may then exist;

(b) the setting aside of reserves and the creation of sinking funds and the regulation and disposition thereof;

(c) limitations on the purpose to which the proceeds from the sale of bonds, notes or other obligations may be applied;

(d) limitations on the issuance of additional bonds, notes or other obligations, the terms upon which additional bonds, notes or other obligations may be issued and secured and the refunding of bonds, notes or other obligations;

(e) the procedure, if any, by which the terms of any contract with holders of bonds, notes or other obligations may be amended or abrogated, including the proportion of holders of bonds, notes or other obligations which are needed to consent thereto and the manner in which such consent may be given;

(f) vesting in a bond trustee or trustees such properties, rights, powers and duties in trust as the trust may determine; and

(g) defining the acts or omissions to act that may constitute a

default in the obligations and duties of the trust to the holders of bonds, notes or other obligations and providing for the rights and remedies of the holders of bonds, notes or other obligations in the event of such default, including as a matter of right the appointment of a receiver, provided, however, that such rights and remedies shall not be inconsistent with the general laws of the state and other provisions of this article.

7. In addition to the powers herein conferred upon the trust to secure its bonds, notes or other obligations, the trust shall have power in connection with the issuance of bonds, notes or other obligations to enter into such agreements for the benefit of the holders of bonds, notes or other obligations as the trust may deem necessary, convenient or desirable concerning the use or disposition of its revenues or other moneys, including the entrusting, pledging or creation of any other security interest in any such revenues, moneys and the doing of any act, including refraining from doing any act, which the trust would have the right to do in the absence of such agreements. The trust shall have power to enter into amendments of any such agreements within the powers granted to the trust by this article and to perform such agreements. The provisions of any such agreements may be made a part of the contract with the holders of bonds, notes or other obligations of the trust.

8. Notwithstanding any provision of the uniform commercial code to the contrary, any pledge of or other security interest in revenues, moneys, accounts, contract rights, general intangible or other personal property made or created by the trust shall be valid, binding and perfected from the time when such pledge is made or other security interest attaches without any physical delivery of the collateral or further act, and the lien of any such pledge or other security interest shall be valid, binding and perfected against all parties having claims of any kind in tort, contract or otherwise against the trust irrespective of whether or not such parties have notice thereof. No instrument by which such a pledge or security interest is created nor any financing statement need be recorded or filed.

9. Whether or not the bonds, notes or other obligations of the trust

are of such form and character as to be negotiable instruments under the terms of the uniform commercial code, the bonds, notes or other obligations are hereby made negotiable instruments within the meaning of and for all the purposes of the uniform commercial code, subject only to the provisions of the bonds, notes or other obligations for registration.

10. Neither the members of the board nor any person executing bonds shall be liable personally thereon or be subject to any personal liability or accountability solely by reason of the issuance thereof. The bonds, notes or other obligations of the trust shall not be a debt of NYCHA, the city, or the state, and neither NYCHA, the city nor the state shall be liable thereon, nor shall they be payable out of any funds other than those of the trust, and such bonds, notes or other obligations shall contain on the face thereof a statement to such effect.

11. The trust, subject to such agreements with bondholders as then may exist, shall have power to purchase bonds, notes or other obligations of the trust out of any moneys available therefor, which shall thereupon be cancelled.

12. Notwithstanding any provision of article twelve of the private housing finance law, section twenty-nine hundred seventy-six of the public authorities law or any other general, special or local law to the contrary, (a) the purposes of the New York city housing development corporation and its powers granted in article twelve of the private housing finance law also shall include, subject to the provisions of any contract with holders of its bonds, notes or other obligations, the making of loans to the trust and entities referred to in subdivision thirteen of section six hundred twenty-nine of this article, and (b) bonds, notes or other obligations of the New York city housing development corporation issued for, or to refund bonds, notes or other obligations issued for, such purpose or the purposes of paying costs of issuance thereof or funding reserves to secure such bonds, notes or other obligations (i) may be sold without any consultation or approval otherwise required by subdivision two of section six hundred fifty-five

of the private housing finance law, (ii) shall not be included in any calculation of outstanding bonds, notes or other obligations for purposes of section six hundred fifty-six of the private housing finance law and shall not be secured by any capital reserve fund established pursuant thereto, and (iii) shall not be included in any calculation of bonds, notes or other obligations issued by the New York city housing development corporation for purposes of section twenty-nine hundred seventy-six of the public authorities law.

13. In the event that any default on any bond, note or other obligation that is secured by an assignment of, mortgage on, pledge of or other encumbrance on any interest of the trust, or any entity referred to in subdivision thirteen of section six hundred twenty-nine of this article, in any housing facilities, has occurred and is continuing beyond the applicable cure period, if any, provided to the trust or such entity in the instrument granting such assignment, mortgage, pledge or other encumbrance, notwithstanding any provision in such instrument, any right of the beneficiary of such instrument to obtain such interest in such housing facilities as a remedy to any such default shall, for a period ending thirty days after the end of such cure period, be subject to:

(a) the right of the city of New York to remedy, or cause to be remedied, such default; and

(b) the right of the state of New York to remedy, or cause to be remedied, such default; provided, however, that nothing in this subdivision shall be construed to impose any obligation on the city of New York or on the state of New York to remedy, or cause to be remedied, such default.

14. Notwithstanding any default on any obligation referred to in subdivision thirteen of this section, and any remedies exercised as a result of such default, provisions relating to the restricted use of the housing facilities for the provision and operation of housing for low-income families and current residents shall at all times continue to be in effect in perpetuity, and the housing facilities shall remain subject to the provisions of subdivision four of section six hundred thirty of this article and section six hundred thirty-one of this

article. The trust shall not pledge the fee ownership of the housing facilities as part of a financing arrangement.

15. At least quarterly, the trust shall provide financial reports to the director of management and budget of the city of New York containing such information as the director of management and budget of the city of New York may request.

§ 638. Resources of the trust. 1. Subject to the provisions of this article, the members of the board shall receive, accept, invest, administer, expend and disburse for its corporate purposes all money of the trust from whatever sources derived including (a) the proceeds of bonds, notes and other obligations, and (b) any other payments, gifts, or appropriations to the trust from any other source.

2. Subject to the provisions of any contract with holders of bonds, notes or other obligations, the money of the trust shall be paid to the trust and shall not be commingled with any other money. The money of the trust shall be deposited in accounts held in the trust's name in the bank or banks in the state designated by the trust.

3. The moneys in such accounts shall be paid out on checks of the trust upon requisition by the chair or such officer or officers as the trust may authorize to make such requisitions, or pursuant to a bond resolution or trust indenture.

4. Any moneys on deposit in the accounts of the trust not required for immediate expenditure shall be invested in obligations in which a municipality may be authorized to invest in accordance with section eleven of the general municipal law, provided, however, that such funds shall not be invested in instruments commonly known as repurchase agreements. The trust shall have the power, notwithstanding the provisions of this section, to contract with the holders of any of its bonds, notes and other obligations as to the custody, collection, securing, investment and payment of any money of the trust or any money held in trust or otherwise for the payment of bonds, notes and other

obligations or in any way to secure bonds, notes and other obligations, and to carry out any such contract.

§ 639. Legal investment and deposit. The bonds, notes or other obligations of the trust are hereby made securities in which all public officers and bodies of the state and all public corporations, municipalities and municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, bankers, trust companies, savings banks and savings associations including savings and loan associations, building and loan associations, investment companies and other persons carrying on a banking business, all administrators, conservators, guardians, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or in other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them. The bonds, notes or other obligations are also hereby made securities which may be deposited with and may be received by all public officers and bodies of the state and all municipalities and public corporations for any purpose for which the deposit of bonds, notes or other obligations of the state is now or may hereafter be authorized.

§ 640. Tax exemption and tax contract by the state. 1. It is hereby determined that the creation of the trust and the carrying out of its corporate purposes is in all respects for the benefit of the people of the state of New York and is a public purpose. Accordingly, the trust shall be regarded as performing an essential governmental function in the exercise of the powers conferred upon it by this article, and the trust shall not be required to pay any fees, taxes, special ad valorem levies or assessments of any kind, including, but not limited to, franchise taxes, sales taxes or other taxes, upon or with respect to any property owned by it or under its jurisdiction, control or supervision, or upon the uses thereof, or upon or with respect to its activities or operations in furtherance of the powers conferred upon it by this article, or upon or with respect to any fares, tolls, rentals, rates,

charges, fees, revenues or other income received by the trust.

2. Any bonds, notes or other obligations issued pursuant to this article together with the income therefrom shall at all times be exempt from taxation.

3. The state hereby covenants with the purchasers and with all subsequent holders and transferees of bonds, notes or other obligations issued by the trust pursuant to this article, in consideration of the acceptance of and payment for the bonds, notes or other obligations, that the bonds, notes or other obligations of the trust issued pursuant to this article and the income therefrom and all revenues, monies, and other property pledged to pay or to secure the payment of such bonds, notes or other obligations shall at all times be free from taxation.

§ 641. Actions against the trust. 1. Except in an action for wrongful death, no action or proceeding shall be prosecuted or maintained against the trust for personal injury or damage to real or personal property alleged to have been sustained by reason of the negligence or wrongful act of the trust or of any member of the board, officer, agent or employee thereof, unless (a) it shall appear by and as an allegation in the complaint or moving papers that a notice of claim shall have been made and served upon the trust, within the time limit prescribed by and in compliance with section fifty-e of the general municipal law, (b) it shall appear by and as an allegation in the complaint or moving papers that at least thirty days have elapsed since the service of such notice and that adjustment or payment thereof has been neglected or refused, and (c) the action or proceeding shall be commenced within the period provided under section fifty-i of the general municipal law. An action against the trust for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of the public authorities law.

2. Wherever a notice of claim is served upon the trust, it shall have the right to demand an examination of the claimant relative to the occurrence and extent of the injuries or damages for which claim is

made, in accordance with the provisions of section fifty-h of the general municipal law.

3. The trust may require any person presenting for settlement an account or claim for any cause whatsoever against the trust to be sworn before a member of the board, counsel or an attorney, officer or employee thereof designated for such purpose, concerning such account or claim and when so sworn, to answer orally as to any facts relative to such account or claim. The trust shall have power to settle or adjust any claims in favor of or against the trust.

4. The rate of interest to be paid by the trust upon any judgment for which it is liable, other than a judgment on bonds, notes or other obligations, shall not exceed the rate of interest on judgments and accrued claims against municipal authorities as provided in the general municipal law. Interest on payments of principal or interest on any bonds, notes or other obligations in default shall accrue at the rate specified in the general municipal law until paid or otherwise satisfied.

5. The venue of every action, suit or special proceeding brought against the trust shall be laid in the county of New York.

§ 642. Civil service and pension system membership. 1. The trust, for the purpose of administering the civil service law, shall be subject to the provisions of the civil service law and the rules of the city department of citywide administrative services or any successor acting as the municipal commission of the city. The president of the trust shall be empowered to act for the trust in all matters relating to compliance with this subdivision.

2. With respect to persons employed by NYCHA on the effective date of this section, the trust and NYCHA shall be deemed to be the same public employer only for purposes of transfer of employment under the civil service law, which may be made only with the approval of the NYCHA CEO and the president of the trust. No civil service right of an employee of

NYCHA employed on the effective date of this article shall be lost, impaired or affected by reason of the enactment of this section into law.

3. Any person on an eligible list for a position with NYCHA shall continue to hold such position on such list and shall be entitled to the same civil service rights. The trust shall continue to use any new or existing civil service lists promulgated by the department of citywide administrative services until such time as successor titles are established. Employees of the trust shall have the same rights and benefits as employees of NYCHA.

4. Any officer or employee of NYCHA who is transferred to the trust pursuant to this section and who at the time of such transfer was a member of the New York city employees' retirement system shall continue to be a member of such system as long as he or she or they continues in such service, and shall continue to have all the rights, privileges and obligations of membership in such system. Employment by the trust shall constitute city-service for the purposes of chapter one of title thirteen of the administrative code of the city of New York.

§ 643. Collective negotiation. 1. The city of New York collective bargaining law shall apply to the trust.

2. For the purpose of article fourteen of the civil service law and the New York city collective bargaining law, as applicable, the trust, acting by and through its president, shall be deemed to be the public employer and as such shall negotiate with and enter into written agreements with employee organizations representing the staff of the trust that have been certified or recognized in accordance with applicable law. In carrying on such negotiations, the president of the trust may consult with and seek assistance from the city office of labor relations and NYCHA. The president of the trust shall consult with the appropriate public employee organization on the establishment of, and bargain all terms and conditions of, any new titles established for the trust which have a community of interest with titles already represented

by the public employee organization which presently has representation rights for those titles for NYCHA or for the city. Any such titles for which terms and conditions are bargained pursuant to this subdivision shall be deemed to be successor titles within the meaning of applicable law and, so long as the responsibilities of employees in these titles are reasonably related to the responsibilities of employees currently represented by a public employee organization, shall be accreted to the appropriate bargaining certificates for which such public employee organization shall be voluntarily recognized as the bargaining agent under procedures acceptable to the office of collective bargaining.

§ 644. Application of state and local human rights laws.

Notwithstanding any provision of law to the contrary, article fifteen of the executive law and title eight of the administrative code of the city of New York shall apply to the trust.

§ 645. Limited liability. 1. As used in this section, the term "employee" shall mean the members of the board, president, officers, employees, or a former employee, his or her estate or judicially appointed personal representative.

2. Neither the members of the board nor any officers or employee of the trust acting on behalf thereof, while acting within the scope of such person's authority, shall be subject to any liability resulting from carrying out any of the powers expressly given in this article.

3. At the request of the employee, and upon compliance by the employee with the provisions of this section, the trust shall provide for the defense of an employee in any civil action or proceeding in any state or federal court, arising out of any alleged act or omission which the trust finds occurred while the employee was acting within the scope of his or her public employment and in the discharge of his or her public duties and was not in violation of any rule or regulation of the trust at the time the alleged act or omission occurred. This duty to provide for a defense and indemnification shall not arise where such civil

action or proceeding is brought by or on behalf of the trust against the employee.

4. The trust shall indemnify and hold harmless its employees in the amount of any civil judgment obtained against such employees in any state or federal court, or in the amount of any settlement of a claim approved by the trust provided that the act or omission from which such judgment or settlement arose occurred while the employee was acting within the scope of his or her public employment and in the discharge of his or her public duties and was not in violation of any rule or regulation of the trust at the time the alleged damages were sustained. The duty to indemnify and hold harmless prescribed by this section shall not arise where the injury or damage resulted from an intentional wrongdoing, or recklessness on the part of the employee. Nothing in this section shall authorize the trust to indemnify or hold harmless an employee with respect to punitive or exemplary damages, fines or penalties.

5. The duty to defend and indemnify and hold harmless prescribed by this section shall be conditioned upon (a) delivery by the employee to the president or general counsel of the trust at the office of the trust of the original or a copy of any summons, complaint, claim, process, notice, demand or pleading within ten days after the employee is served with such document, and (b) the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the trust based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request by the employee that the trust provide for his or her defense pursuant to this section. In the event that the trust shall assume an employee's defense and thereafter the employee fails or refuses to cooperate in the formation or presentation of his or her defense, the court shall permit the trust to withdraw its representation ten days after giving written notice to the employee of its intention to discontinue such representation.

6. In the event that the act or omission upon which the court proceeding against the employee is based was or is also the basis of a

disciplinary proceeding by the trust against the employee, representation and indemnification by the trust, as set forth in this section, may be withheld (a) until such disciplinary proceeding has been resolved, and (b) unless the resolution of the disciplinary proceeding exonerated the employee as to such act or omission.

7. Subject to the conditions set forth in this section, such employee shall be entitled to representation by the general counsel of the trust or by any attorney or attorneys designated by the general counsel, provided, however, that the employee shall be entitled to be represented by private counsel of his or her choice in any civil action or proceeding whenever the trust determines that representation would be inappropriate, or whenever a court, upon appropriate motion or otherwise by a special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by private counsel of the employee's choice. The general counsel of the trust shall notify the employee in writing of such determination that the employee is entitled to be represented by private counsel. Provided, however, that the trust may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. Reasonable attorneys' fees and litigation expenses shall be paid by the trust to such private counsel from time to time during the pendency of a civil action or proceeding.

8. Any dispute with respect to representation of multiple employees by a single counsel or the reasonableness of attorneys' fees or the amount of litigation expenses shall be resolved by the court upon motion or by way of a special proceeding.

9. The benefits of this section shall inure only to employees as defined in this section and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter or repeal any provision of the workers' compensation law.

10. The provisions of this section shall not be construed in any way to impair, alter, limit or modify the rights and obligations of any

insurer under any policy of insurance.

11. Except as otherwise specifically provided in this section, the provisions of this section shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, member, officer or employee of the trust, or any right to defense or indemnification provided for any member, officer or employee by, in accordance with, or by reason of, any other provision of state, federal or local law or common law.

12. Every action or proceeding instituted pursuant to the provisions of this section shall be commenced pursuant to section six hundred forty-one of this article, and subject to any condition or limitation set forth in such section.

13. The provisions of this section shall apply to the actions and proceedings set forth herein notwithstanding any inconsistent provisions of state or local law.

§ 646. Audit and annual reports. The trust shall have an internal audit function and shall annually prepare and submit reports as required by this section, provided that no report shall be required during the earlier of the first year after the trust commences its operations or one year and nine months after the effective date of this section.

1. Within one one hundred twenty days of the end of the city's fiscal year, the trust shall submit to the mayor of the city, the recognized citywide council of presidents, or an equivalent successor body, and the NYCHA board a report on its operations during such fiscal year. An annual audit of the trust shall be conducted by an independent certified public accountant, and the trust's independently audited financial statements shall be included in this report. The report shall also detail the extent of completion of all projects for development, design, construction, reconstruction, improvement, rehabilitation, repairing and operation of housing facilities, including, by project, identified shortfalls in schedule performance and providing explanation for such

shortfalls. Such report shall detail the extent of completion as existed on the last day of the city's fiscal year. Such report shall also include a description of each alternative project delivery contract, information regarding the procurement process for each such alternative project delivery contract including the list of responding entities that demonstrated the general capability to perform such alternative project delivery contract pursuant to paragraph (a) of subdivision one of section six hundred thirty-four of this article, the total cost of each alternative project delivery contract, an explanation of the estimated savings attributable from the alternative project delivery contract structure used, and the participation rate of and total dollar value of monies paid to minority and women owned business enterprises under such contract. Such report shall also include a description of the employment and other economic opportunities directed to residents of the housing facilities, such as reporting related to section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, pursuant to subdivision three of section six hundred thirty-one of this article. Such report shall also include (i) an assessment of the effectiveness of internal controls, (ii) organization chart, (iii) salary information for all employees, (iv) debt issuance information (including outstanding debt and any new debt to be issued, costs of issuance data, bonds redeemed), (v) certain summary financial information, including receipts and disbursements, as well as assets and liabilities, (vi) annual procurement report, (vii) investment of agency funds information, (viii) information regarding the disposition of tenant complaints, maintenance of apartments and facilities, and other information pertaining to the rights of tenants to remain in their apartment; and (ix) information regarding the level of outreach to, and participation of, residents related to the trust. The trust shall transmit the portion of such report relating to alternative project delivery contracts to the governor, the temporary president of the senate and the speaker of the assembly. Such report shall be made publicly available.

2. On the last business day in November of each calendar year, the trust shall submit a report describing its strategic planning framework for the upcoming calendar year to the mayor of the city and to the NYCHA

board. Such report shall describe any capital improvements to be undertaken and the approximate costs of such improvements and shall provide information regarding operations, programs, and services of the trust. The trust shall present a draft of this report at a meeting of the board scheduled to occur no less than forty-five calendar days prior to the last business day in November. The trust shall make such draft available for public review no less than fifteen calendar days before such meeting. The trust shall offer the public an opportunity to provide oral comment on the report at such meeting and to submit written comments to the trust until a specified date prior to the date on which the report is finalized. The trust shall consider all comments received during such period prior to finalizing the report required by this subdivision.

§ 647. Jurisdiction over trust. 1. The trust shall not be deemed a "covered organization" as defined in the New York state financial emergency act for the city of New York.

2. The department of investigation of the city shall be authorized to conduct investigations relating to the trust pursuant to chapter thirty-four of the New York city charter.

3. The comptroller of the city, or his or her legally authorized representative, is hereby authorized and empowered from time to time to examine the books and accounts of the trust including its receipts, disbursements, contracts, reserve funds, sinking funds, investments, and any other matters relating to its financial standing.

§ 648. Effect of inconsistent provisions. Insofar as the provisions of this article are inconsistent with the provisions of any other law, general, special or local or of the New York city charter or any local law, ordinance or resolution of the city, the provision of this article shall be controlling, provided that nothing contained in this section shall be held to supplement or otherwise expand the powers or duties of the trust otherwise set forth in this article.

§ 649. Severability. If any provision of this article or its application to any person or circumstance is held unconstitutional or invalid, in whole or in part, by any court, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this article or the application of any such provision to any other person or circumstance, and to this end the provisions of this article are severable.