

2008 ANNUAL REPORT

NEW YORK STATE ASSEMBLY

COMMITTEE ON
HOUSING



Sheldon Silver, Speaker

Vito J. Lopez, Chairman

December 15, 2008

Honorable Sheldon Silver
Speaker of the Assembly
Legislative Office Building
Albany, New York 12248

Dear Mr. Speaker:

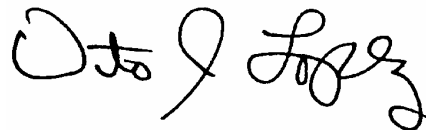
I am pleased to present the 2008 Annual Report for the Assembly Committee on Housing highlighting the accomplishments of the past Legislative Session. This year the Committee secured an additional \$200 million in capital including a record \$45 million in capital funding for the Affordable Housing Corporation and \$60 million in capital funding for the Low Income Housing Trust Fund, both of which are key partners in our ongoing effort to address the housing crisis in New York. In addition, the Committee was able to secure \$25 million to assist homeowners facing foreclosure or default on subprime or unconventional mortgages.

The Assembly advanced several packages of legislation important to the preservation and creation of affordable housing during the 2008 legislative session. In addition to extending the effectiveness of the Loft Law until May 31, 2010, the Assembly again passed a comprehensive package of bills to protect tenants from the continuing threat of buildings pre-paying their bonds and "buying out" of the Mitchell-Lama program. The Assembly also passed a package of nine rent regulation bills to address the problems of rising rents and attrition from the stock of regulated housing due to deregulation measures under existing law. Among other things, these bills would increase civil penalties for harassment of a tenant (A.10823), limit a building owner's ability to recover rent-regulated apartments for personal use (A.799), limit the allowable rent increase following a vacancy (A.10055), and require that rent surcharges resulting from major capital improvements cease once the cost of the improvement has been recovered (A.6510). Although the Senate failed to pass these bills, the Committee will continue to advance this legislation in the next session and explore additional ways to preserve affordable housing.

The Committee held several public hearings in 2008. On February 14, 2008, the Housing Committee held a public hearing to discuss the cost of construction and the availability of affordable housing. The Housing Committee, in conjunction with the Cities and Codes Committees, held a public hearing on April 28, 2008, to address the effectiveness of regulation of construction and development in New York City and the enforcement of the Building Code and the Zoning Resolution. Additionally, on December 4, 2008, the Committee held a public hearing on the rising costs of affordable housing and how those costs affect housing programs that receive state funding.

I am pleased with the many successes of the Committee and look forward to continuing our efforts in what is sure to be an exciting session ahead. I wish to extend my sincerest thanks to the members of the Committee, my staff, the staff of the Housing Committee, and to you, Mr. Speaker, for your commitment and support.

Sincerely,

A handwritten signature in black ink, appearing to read "Vito J. Lopez". The signature is fluid and cursive, with the first name "Vito" being the most prominent part.

Vito J. Lopez
Chairman

2008 ANNUAL REPORT
OF THE
ASSEMBLY STANDING COMMITTEE ON HOUSING

VITO J. LOPEZ, CHAIRMAN

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TABLE OF CONTENTS

- I. COMMITTEE JURISDICTION AND PURVIEW..... 1**
- II. LEGISLATIVE HEARINGS..... 2**
 - A. The Cost of Housing Construction and the Availability of Affordable Housing
 - B. The Effectiveness of Regulation of Construction and Development in New York City and the Enforcement of the Building Code and the Zoning Resolution: A Second Hearing..... 2
 - C. The Rising Costs of Affordable Housing and its Effect on Housing Programs.. 2
- III. 2008 LEGISLATIVE HIGHLIGHTS..... 4**
 - A. State of New York Mortgage Agency and Housing Finance Agency..... 4
 - 1. Increasing the Housing Finance Agency Bond Cap..... 4
 - 2. Extending SONYMA’s Authority to Issue Rehabilitation Loans..... 4
 - 3. Extending SONYMA’s Authority to Purchase Mortgages and Issue Bonds..... 4
 - 4. Expediting Additional Affordable Home Ownership Development Projects..... 4
 - 5. Revising the Definition of “Mortgage”..... 5
 - B. Mitchell-Lama Housing..... 5
 - 1. Providing Mitchell-Lama Project Incentives..... 5
 - 2. Promoting Continuation of Limited-Profit Housing Companies..... 6
 - 3. Conditioning Rent Increases on Maintenance of Essential Services..... 6
 - 4. Requiring Municipally-aided Projects to Post Waiting Lists..... 6
 - 5. Strengthening Supervision of Mitchell-Lama Projects..... 6
 - 6. Protecting Former Mitchell-Lama Tenants..... 6
 - 7. Ensuring Early Notification of Mitchell-Lama Buy-Outs..... 7
 - 8. Promoting Continuation of Limited Profit Housing Companies in New York City..... 7
 - 9. Protecting Tenants from Rent Increases Based on Unique and Peculiar Circumstances..... 7
 - C. Public Housing..... 7
 - 1. Expanding the Rights of Public Housing Tenants..... 8
 - D. Neighborhood and Rural Preservation Programs..... 8
 - 1. Removing Neighborhood and Rural Preservation Program Funding Limitations..... 8
 - 2. Affordable Home Ownership Development..... 8
 - 3. Facilitating Rural Area Revitalization..... 9
 - E. Cooperatives and Condominiums..... 9
 - 1. Requiring Notification of Rights..... 9
 - F. Department of Housing Preservation and Development..... 9
 - 1. Increasing the Housing Development Corporation’s Bonding Authority..... 9
 - G. Loft Law..... 10
 - 1. Extending Protections for Loft Tenants..... 10
 - 2. Ensuring Continuation of Services..... 10

3.	Providing Additional Oversight and Remedies for Loft Dwellings and Residents.....	10
4.	Expanding Loft Law Coverage.....	11
H.	Rent Regulation.....	11
1.	Repealing Vacancy Deregulation.....	11
2.	Deterring and Penalizing Tenant Harassment.....	11
3.	Limiting Recovery of Rent-regulated Housing for Owners' Personal Use.....	11
4.	Improving the Operations of Rent Guideline Boards.....	12
5.	Limiting Rent Increases after Vacancy.....	12
6.	Repealing the Urstadt Law.....	12
7.	Extending Protections to Former Section 8 Residents.....	12
8.	Limiting Deregulation of "Demolished" Housing Units.....	12
9.	Limiting Increases of Preferential Rents.....	12
10.	Adjusting High-Rent/High-Income Deregulation Thresholds for Inflation.....	13
11.	Reforming Major Capital Improvement Rent Increases.....	13
I.	Homeowner Protections in Manufactured Home Parks.....	13
1.	Providing a Right of First Refusal to Manufactured Homeowners' Associations.....	13
2.	Creating a Maximum Limitation on Deposits.....	14
3.	Right of First Refusal.....	14
J.	Homeowner Protections During the Subprime Mortgage Crisis.....	14
1.	Requiring Notice Prior to Foreclosure and Providing Homeownership Assistance.....	14
K.	Other.....	15
1.	Providing Funds for Urban Initiatives Program Applicants.....	15
2.	Authorizing Housing Preferences for Police Officers.....	15
3.	Broadening the Low-Income Housing Trust Fund Program.....	15
4.	Providing Housing for Year-round Farmworkers.....	15
5.	Providing Funding for Projects in Former Brownfield Sites.....	15
6.	Ensuring Housing Protections to People with Disabilities.....	16
7.	Creating an Accessible Housing Registry.....	16
8.	Meeting the Need for Affordable Housing in the Peconic Bay Region	16
9.	Increasing the Minimum Heating Requirement.....	16
IV.	2008 BUDGET HIGHLIGHTS.....	17
A.	Mortgage Insurance Fund Projects.....	17
B.	DHCR Capital Projects.....	17
C.	Aid to Localities.....	19
V.	OUTLOOK FOR 2009.....	22
	APPENDIX A – HOUSING COMMITTEE ACTION SUMMARY.....	23
	APPENDIX B – BILLS THAT PASSED THE ASSEMBLY.....	24
	APPENDIX C – BILLS THAT WERE SIGNED INTO LAW BY THE GOVERNOR....	34

I. COMMITTEE JURISDICTION AND PURVIEW

The New York State Assembly Committee on Housing is composed of 29 members. The Committee is responsible for legislation concerning housing development and preservation. Its purview includes rent regulation, as well as legislation that amends the following volumes of the New York State Consolidated Laws:

- Multiple Dwelling Law, which encompasses health and safety standards for buildings with three or more families living independently of each other in New York City and Buffalo;
- Multiple Residence Law, which covers health and safety standards for buildings with three or more families living independently of each other in all localities other than New York City and Buffalo;
- Private Housing Finance Law, which governs the following State programs: Mitchell-Lama; Limited Dividend Companies; Redevelopment Companies; Housing Trust Fund; Affordable Home Ownership Development; Turnkey; Permanent Housing for Homeless Families; Infrastructure Development Demonstration; Mobile Home Cooperative Fund; Housing Development Fund; Neighborhood Preservation; Rural Preservation; Rural Area Revitalization; Rural Rental Assistance; Special Needs Housing; Urban Initiatives; Permanent Housing for Homeless Families; several New York City programs; and the administration of the State Housing Finance Agency and New York City Housing Development Corporation; and
- Public Housing Law, which covers the safety, management, and financing of local public housing authorities throughout the State.

In addition to bills regarding these laws, the Committee has jurisdiction over legislation amending the following sections of the Unconsolidated Laws: the Emergency Housing Rent Control Law; the Local Emergency Housing Rent Control Law; the New York City Rent Stabilization Law; the Emergency Tenant Protection Act of 1974; sections of the New York City Administrative Code and the City of Buffalo Administrative Code; sections of the General Business Law that relate to the conversion of real property from rental to cooperative (co-op) or condominium (condo) status; and housing-related sections of the Executive Law, Real Property Law, Real Property Actions and Proceedings Law, and the Public Authorities Law.

II. LEGISLATIVE HEARINGS

A. The Cost of Housing Construction and the Availability of Affordable Housing

The Housing Committee held a public hearing on February 14, 2008, on the cost of housing construction and the availability of affordable housing. The Committee heard from the Commissioner of the New York City Department of Housing Preservation and Development, the Commissioner of the New York State Division of Housing and Community Renewal, and the Executive Director of the New York State Association for Affordable Housing. The Committee sought testimony from the various parties regarding several issues, including whether the support of governmental programs and statutes has been adequate to ensure that affordable housing units and their buildings are kept in proper condition, whether the availability of affordable housing can be maintained and increased in light of increasing construction costs, and whether government programs should focus on developing more affordable housing units versus maintaining existing units. All agreed the costs of constructing affordable housing are rising due to many factors—the declining value of federal tax credits, increases in costs of raw materials as a result of construction booms in China and other developing nations—and that greater subsidies are necessary to meet the State’s housing needs. Several proposals were advanced, including expansion of the Low Income Housing Trust Fund program.

B. The Effectiveness of Regulation of Construction and Development in New York City and the Enforcement of the Building Code and the Zoning Resolution: a Second Hearing

On April 28, 2008, the Cities, Codes, and Housing Committees held a second hearing to explore the powers, duties, obligations, and accountability of New York City’s regulatory system for construction, development, and zoning enforcement. Prior to this hearing, there were several devastating construction accidents involving death, injury, and property damage. As a result of these incidents, several pieces of legislation were proposed to improve construction safety in New York City. Throughout the course of the hearing, the Committees heard testimony from representatives from the New York City Department of Buildings (DOB), the Environmental Control Board, elected officials, and neighborhood associations regarding the issuance of violations.

Many witnesses questioned DOB’s effectiveness in approving plans and work permits and in issuing violations and Stop Work orders when necessary. The recurring theme was to create a separate enforcement agency, insulated from building owners, developers, and architects and engineers, to provide needed checks and balances over the Department.

C. The Rising Costs of Affordable Housing and its Effect on Housing Programs

On December 4, 2008, The Housing Committee held a hearing to examine housing costs and their impact on affordable housing programs. Earlier this year the Housing Committee held another hearing related to the cost and availability of affordable housing units. During that hearing the general consensus of the witnesses was that construction costs have been growing at a rapid pace. Several of the witnesses indicated that much of this cost increase is due to growing international

demand for building materials as several large nations including China and India have been expanding and developing at an accelerated pace. The December 4th hearing focused on the budgetary needs of these programs and the agencies that oversee them. It reviewed how the current economic environment is influencing affordable housing availability and costs, and it explored options on how to continue to provide affordable housing in this financial climate.

Testimony was heard from the commissioner of the Division of Housing and Community Renewal and Housing Preservation and Development. There was also representation from tenants' organizations and residents who live in affordable housing units. Most of the witnesses stressed the importance of affordable housing programs particularly during a time when many individuals are dealing with personal financial issues.

III. 2008 LEGISLATIVE HIGHLIGHTS

A. State of New York Mortgage Agency (SONYMA) and Housing Finance Agency (HFA)

1. Increasing the Housing Finance Agency Bonding Cap

A.11451 Rules (Titus); Chapter 151 of the Laws of 2008

This legislation increases the maximum bonding authority of the New York State Housing Finance Agency (HFA) by \$1 billion. This will increase the total value of bonds that HFA may issue from \$12.78 billion to \$13.78 billion.

2. Extending SONYMA's Authority to Issue Rehabilitation Loans

A.11440 Rules (Camara); Chapter 150 of the Laws of 2008

This legislation extends SONYMA's authority to issue "rehabilitation loans" for the acquisition or maintenance of a building, provided that 20 percent of such loan is used exclusively for the cost of repairs or improvements to the building. SONYMA's authority to issue such loans will extend until July 23, 2010.

3. Extending SONYMA's Authority to Purchase Mortgages and Issue Bonds

A.11005 (Lopez, V.); Chapter 148 of the Laws of 2008

This legislation extends SONYMA's authority to purchase forward commitment mortgages for an additional year from July 16, 2008, until July 16, 2009. This legislation also authorizes SONYMA to issue taxable and tax-exempt bonds for an additional year from July 16, 2008, until July 16, 2009. This section will allow SONYMA to issue an additional \$500 million in bonds, increasing the total value of bonds that SONYMA may issue from \$7.92 billion to \$8.42 billion.

4. Expediting Additional Affordable Home Ownership Development Projects

A.1025 (Christensen); Passed Assembly

This bill would permit qualifying not-for-profit housing organizations involved in affordable home ownership development programs to apply up to ten percent of the program or project cost they are awarded toward the organization's operating expenses, including expenses related to the administration of the contract. It would also stipulate that no payment, loan, or grant under the affordable home ownership development program may exceed 60 percent of the project cost if an acquisition is involved, or 100 percent of the project cost if there is no acquisition.

5. Revising the Definition of "Mortgage"

A.6999 (Lopez V.) and A.7647 (Lopez V.); Passed Assembly

These bills would authorize SONYMA to issue and insure second mortgages for down payment and closing cost assistance to potential home owners. They would define the term "mortgage" to include a loan owed to a bank secured by a second lien, under certain limited circumstances, if the second lien secures a loan purchased by the agency and is made at the same time as a first lien securing a loan purchased by the agency.

B. Mitchell-Lama Housing

Since the 1950s, the Mitchell-Lama program has provided affordable housing to moderate-income New Yorkers. More than 400 Mitchell-Lama developments, housing approximately 150,000 families, are scattered throughout the State. The continued viability of this housing remains a critical part of New York State's effort to ensure the availability of affordable housing for each of its citizens.

Despite this, to date owners of thousands of apartments have ended rental or sales restrictions that cover their buildings by repaying loans issued under the Mitchell-Lama guidelines. In fact, in New York City alone, over 36,629 units have left the program and an additional 12,952 have begun the process to withdraw from the program. These "buy-outs" can have a devastating impact on the families living in these buildings as rents may double or triple when existing leases expire.

Since 1999, the Assembly has responded by passing bills designed to protect Mitchell-Lama tenants. The Committee continued to advance a package of legislation in 2008. Unfortunately the Senate has not addressed this issue by passing the comprehensive package.

1. Providing Mitchell-Lama Project Incentives

A.10997-A (Bing); Chapter 208 of the Laws of 2008

This legislation authorizes limited profit housing companies to operate as limited liability companies. Additionally, it would authorize the commissioner of DHCR or the appropriate agency overseeing a limited profit housing company to modify its supervision of the housing company. This may be done when it is determined that the housing company is being unnecessarily regulated by more than one agency or when a housing company demonstrates a positive record of compliance with their regulatory agency. Finally, it would allow the commissioner or appropriate supervising agency to approve a loan in excess of a redevelopment plan if the excess amount represents the cost of capital improvements or the cost of acquisition.

2. Promoting Continuation of Limited-Profit Housing Companies
A.793 (Lopez, V.); Passed Assembly

This legislation would extend from 20 to 50 years the period of time before which limited-profit housing companies may voluntarily dissolve and leave the Mitchell-Lama housing program without the consent of the regulatory agency. In order to dissolve in this fashion the limited-profit housing company must have paid in full any remaining balance on its mortgage and all of the expense associated with the dissolution of the company.

3. Conditioning Rent Increases on Maintenance of Essential Services
A.531 (Dinowitz); Passed Assembly

This bill would establish a definition of essential services for individuals living in Mitchell-Lama housing. It would also require landlords to provide all essential services as defined by the bill and would require that the dwelling accommodations be maintained in proper condition without posing a health threat or otherwise threatening the safety of the tenants.

4. Requiring Municipally-aided Projects to Post Waiting Lists
A.8956 (Lopez, V.); Passed Assembly

This bill would require all municipally-aided projects to post the first and last names of all persons on each waiting list maintained by such project in chronological order by the project's management office, or if there is no management office on the site, the list would be posted in the project's lobby.

5. Strengthening Supervision of Mitchell-Lama Projects
A.6898 (Bing); Passed Assembly

This bill would require the Division of Housing and Community Renewal and the New York City Department of Housing Preservation and Development to take steps to remedy or improve any violation or potential violation of the laws or regulations of the agencies.

6. Protecting Former Mitchell-Lama Tenants
A.4196 (Pretlow); Passed Assembly

This bill would authorize municipalities in Nassau, Westchester, and Rockland counties to declare a housing emergency for former Mitchell-Lama buildings that have voluntarily dissolved pursuant to section 35 of the Private Housing Finance Law. It would also prohibit an owner from applying to the Division of Housing and Community Renewal for a rent adjustment based on the presence of unique or peculiar circumstances.

7. Ensuring Early Notification of Mitchell-Lama Buy-Outs

A.797 (Lopez, V.); Passed Assembly

This bill would require Mitchell-Lama housing companies that intend to dissolve to provide notice of such intention to all their lease holders at least 12 months prior to the anticipated date of dissolution. The bill specifies certain information that must be included in the required notice. It also require that the commissioner or supervising agency, within three months of receipt of the notice, prepare and make available to all tenants of the project a report that provides the following information relating to the tenants, which would be broken down according to household income in \$5000 intervals: the number of dwellings and tenants in each income range, the number of tenants in each income range who are senior citizens, the number of tenants in each income range receiving rental assistance, and the number of tenants in each income range who are disabled.

8. Promoting Continuation of Limited Profit Housing Companies in New York City

A.795 (Lopez, V.); Passed Assembly

This bill would alter several provisions that affect limited-profit housing companies to provide incentives for these companies to remain under the Mitchell-Lama program and would also grant some additional protections to tenants. It would authorize Mitchell-Lama developments to pay dividends in excess of six percent with the approval of the Department of Housing Preservation and Development (HPD). The bill would also allow such developments to increase rents annually at a rate established by the New York City Rent Guidelines Board without a public hearing or approval from the supervising agency. Additionally, it would alter existing law so that post-1974 Mitchell-Lama rental developments that voluntarily dissolve would be covered under rent stabilization and would establish the initial rents if such a dissolution were to occur. Furthermore, the bill would establish provisions to manage units that are occupied by individuals under the Section 8 voucher program.

9. Protecting Tenants from Rent Increases Based on Unique and Peculiar Circumstances

A.352 (Bing); Passed Assembly

This bill would ensure the continued affordability of apartment in Mitchell-Lama developments that buy out of the Mitchell-Lama program by making the last rent paid prior to dissolution the initial legal regulated rent and by prohibiting application of the “unique and peculiar” provision in their circumstances.

C. Public Housing

The State of New York continues to play an important role in regulating and supporting the operation of public housing. Currently, over 18,000 units of state-regulated public housing are operated by 30 public housing authorities. In New York City alone, state-supervised public housing developments provide housing to over 30,000 people.

These developments, which play an important role in the State's efforts to provide affordable housing, desperately need additional assistance in order to make long overdue capital improvements. However, due to the inadequate levels of federal funding and funding provided through the State's Public Housing Modernization program over the last decade, many essential improvements and repairs continue to languish. Increased funding for modernization remains one of the Committee's top priorities.

1. Expanding the Rights of Public Housing Tenants

A.5557 (Wright); Passed Assembly

This bill would allow any organization composed of public housing tenants to use common areas owned by their housing authority to conduct meetings free of charge. The meetings must be announced at least three days in advance. Additionally, the meetings must be conducted during reasonable hours and in a peaceful manner.

D. Neighborhood and Rural Preservation Programs

The Neighborhood and Rural Preservation programs (NPP and RPP) provide grants to cover the costs of not-for-profit community groups engaged in a variety of housing activities ranging from housing development and rehabilitation to homebuyer counseling and tenant assistance. These not-for-profits are known as neighborhood and rural preservation companies (NPCs and RPCs). Since 1990, NPCs and RPCs have played an instrumental role in the creation of over 32,000 units of affordable housing. According to the New York State Division of Housing and Community Renewal (DHCR), for every dollar invested in NPCs and RPCs, between \$13 and \$18 is leveraged from private and other public sources for affordable housing.

1. Removing Neighborhood Preservation Program Funding Limitations

A. 5676-A (Lopez, V.); Passed Housing Committee

This bill would remove the aggregate funding cap that is currently imposed on neighborhood preservation companies (NPCs) and rural preservation companies (RPCs). This would allow NPCs and RPCs that have received a total sum of \$1.92 million to continue to receive funding on an annual basis. Additionally, it would remove the provision that requires any NPC or RPC that has received more than \$300,000, in total funding, to have their funding capped to a maximum of \$97,500 per year.

2. Affordable Home Ownership Development

A.1025 (Christensen); Passed Assembly

Would permit qualifying not-for-profit housing organizations involved in affordable home ownership development programs to apply up to ten percent of the program or project cost they are awarded to be used for the organization's operating expenses, including expenses related to and the administration of the contract.

3. Facilitating Rural Area Revitalization
A.1058 (Christensen); Passed Assembly

This bill would permit qualifying not-for-profit housing organizations involved in certain rural area revitalization projects to apply up to ten percent of the program or project cost they are awarded toward the organization's operating expenses, including expenses related to their operating support and the administration of the contract.

E. Cooperatives and Condominiums

The purchase of a cooperative or condominium is for many urban dwellers the preferred and often the only affordable form of home ownership. Buying a co-op or condo is often a complex process requiring a substantial investment of time and money on the part of the purchaser.

Upon purchase, a co-op shareholder or condo unit-owner acquires an interest in his or her individual dwelling unit and by virtue of the collective form of ownership, a substantial stake in the management of the property. But unlike owning a home, where an individual owner has the final say as to property management decisions, an elected board has these responsibilities in a co-op or condo. Condo unit-owners elect a board of managers, while co-op shareholders elect a board of directors.

1. Requiring Notification of Rights
A.8037 (Kavanagh); Passed Assembly

This bill would require sponsors of cooperative or condominium conversions to notify cooperative shareholders or condominium owners of their right, as provided by federal law, to terminate a sponsor's self-dealing contract.

F. Department of Housing Preservation and Development (HPD)

New York City's housing needs are among the largest in the nation. As a result, the Housing Committee works with New York City's Department of Housing, Preservation, and Development (HPD) to ensure that those needs are met.

1. Increasing the Housing Development Corporation's Bonding Authority
A.11441 (Lopez, V.); Chapter 129 of the Laws of 2008

This chapter authorizes the City of New York Housing Development Corporation (HDC) to increase the maximum aggregate principal amounts of its outstanding notes and bonds by \$1 billion from \$7.75 billion to \$8.75 billion. HDC uses this bonding authority to refinance existing Mitchell-Lama mortgages in exchange for a commitment to remain in the program for an additional fifteen years, to restructure HUD loans used to finance the construction of low-income housing for the elderly, and to run programs that develop and maintain affordable housing in New York City.

G. Loft Law

Originally passed in 1982, the Loft Law provides a mechanism for legalizing commercial lofts in New York City that had been converted in the early 1980's to residential or combined commercial and residential use. The law also provides these residential tenants with protections against arbitrary evictions and rent hikes. The law was scheduled to expire on May 31, 2008, and these tenants, long-term residents of the City, many of whom provide strong support for its prominence in artistic fields, are threatened by changing demographics and need greater protections.

Currently it is estimated that in Brooklyn alone, 10,000 people who live in buildings zoned for commercial or manufacturing use are not protected by the existing Loft Law. When the Assembly became aware of the large number of tenants threatened with eviction, it developed a package of bills to address the situation. By expanding the Loft Law, the Assembly seeks to increase the number of residents who would be covered under the existing statute and to provide important tenant protections for residents whose loft apartments are not currently covered.

1. Extending Protections for Loft Tenants

A.9807-C; Chapter 57 of the Laws of 2008

This chapter extends until May 31, 2010, the provisions of law constituting the Loft Law and Quick Draw.

2. Ensuring Continuation of Services

A.2875-A (Lopez, V.); Passed Assembly

This bill would prohibit interruption of services in "would-be" interim multiple dwellings if the unit is used for residential purposes with the knowledge and consent of the owner. Essential services that have customarily been provided could be interrupted only for repairs, which the owner would be required to perform in a reasonably expedient manner in the case of an emergency or by order of a court or other governmental organization. The bill would further provide that if the services have been interrupted or discontinued, the owner must restore such services for as long as residential occupancy continues.

3. Providing Additional Oversight and Remedies for Loft Dwellings and Residents

A.2816-A (Glick); Passed Assembly

This bill would extend the Loft Law until May 31, 2011. It would also provide additional oversight for interim multiple dwellings, and would provide for additional remedies for residents of such dwellings. It would protect tenants who have occupied their lofts for twenty years or more from eviction due to an owner's claim that he or she wants to use the unit or let a family member use the unit. This bill would further make additional provisions relating to the financing of such dwellings and the applicability of various provisions of the law to such dwellings.

4. Expanding Loft Law Coverage

A.4726-B (Lopez, V.); Passed Assembly

This bill would expand the existing Loft Law to people who lived in illegal lofts for a period of at least one year, from January 1, 2006, to December 31, 2007. The bill would also extend the Loft Law to May 31, 2011.

H. Rent Regulation

New York's rent regulation laws provide protection to over 2.5 million tenants throughout the State. The basis for both rent control and rent stabilization is a housing emergency, defined as a vacancy rate below five percent, which still exists in many areas of the State. Due to the existence of this emergency, government intervention is critical to protect tenants from unreasonable rent increases and evictions.

1. Repealing Vacancy Deregulation

A.7416-A (Rosenthal); Passed Assembly

This bill would repeal laws that provide for the deregulation upon vacancy of rent-regulated housing. The bill would also re-regulate certain housing units that were deregulated under the repealed provisions and would establish initial regulated rents for those units.

2. Deterring and Penalizing Tenant Harassment

A.10823 (Silver); Passed Assembly

This bill would increase the penalties for tenant harassment and violation of an order issued by the Commissioner of the Division of Housing and Community Renewal (DHCR). It would increase the penalty for tenant harassment by owners to \$2,000 for a first offense and up to \$10,000 for each subsequent offense. It would increase the penalty for a violation of an order of the Commissioner to \$1,000 for a first offense and to \$2,000 for each subsequent offense.

3. Limiting Recovery of Rent-regulated Housing for Owners' Personal Use

A.799 (Lopez, V.); Passed Assembly

This bill would limit an owner's ability to recover rent-regulated housing units for his or her personal use. It would prohibit an owner from recovering more than one unit for personal use and would prohibit recovery of any unit that has been occupied continually by the same tenant for twenty or more years.

4. Improving the Operations of Rent Guideline Boards
A.4501 (Brodsky); Passed Assembly

This bill would provide that in addition to the nine regular members of a rent guidelines board, there would be an additional three members who would be alternates. They would represent, respectively, the public, landlords, and tenants. The alternates would be permitted to participate in all proceedings of the board as non-voting members. They would only be allowed to participate as voting members and receive a per diem when a regular member is unable to attend the proceeding.

5. Limiting Rent Increases after Vacancy
A.2894 (Lopez, V.); Passed Assembly

This bill would lower from 20 percent to 10 percent the amount by which a landlord could increase the rent of a rent-regulated unit upon vacancy. It would also prohibit a landlord from taking more than one such increase in any one calendar year.

6. Repealing the Urstadt Law
A.4069 (Lopez, V.); Passed Assembly

This bill would amend the Local Emergency Housing Rent Control Act by removing the provision that prohibits cities of one million or more from strengthening rent regulation laws to provide more comprehensive coverage than provided by state laws.

7. Extending Protections to Former Housing Choice Voucher Program Residents
A.5677 (Lopez, V.); Passed Assembly

This bill would extend rent and eviction protections, pursuant to the Emergency Tenant Protection Act of 1974, to tenants living in former federal Housing Choice Voucher Program (Section 8) projects.

8. Limiting Deregulation of “Demolished” Housing Units
A.5742 (Glick); Passed Assembly

This bill would require building owners who wish to demolish a building containing rent-regulated units to attend a hearing and obtain the approval of the Division of Housing and Community Renewal before proceeding with demolition. The bill would also define the work “demolish” to mean the complete razing of the building, including exterior walls.

9. Limiting Increases of Preferential Rents
A.10055-A (Jeffries); Passed Assembly

This bill would prohibit owners from raising a preferential rent upon the renewal of a tenant’s lease. It would also prohibit the raising of a preferential rent upon vacancy if the vacancy is caused by the landlord’s failure to maintain the unit in a habitable condition.

10. Adjusting High-Rent/High-Income Deregulation Thresholds for Inflation
A.10647 (Bing); Passed Assembly

This bill would apply an inflation adjustment to the rent and income deregulation thresholds in all four rent regulation systems. It would also provide for similar increases on a periodic basis in the future.

11. Reforming Major Capital Improvement Rent Increases
A.6510 (O'Donnell); Passed Assembly

This bill would reform the method by which owners of rent regulated buildings are compensated for major capital improvements (MCIs). In addition to improving the methodology for determining MCI rent increases, this bill would require that rent increases associated with MCIs be treated as a surcharge that would not become part of the legal regulated rent by which annual rent increases are calculated. This bill would also require that rent surcharges authorized for major capital improvements cease once the cost of the improvement has been recovered.

I. Homeowner Protections in Manufactured Home Parks

It generally costs a manufactured homeowner thousands of dollars to move a home, assuming the home is capable of being moved without suffering severe damage. Moreover, because of restrictive zoning laws, only a limited number of vacant lots are available, and it is often impossible to relocate in the neighborhood where the residents have established themselves and their families. As a result, manufactured homeowners find themselves in an unequal bargaining position with the park owner, which renders them captive to whatever terms a manufactured home park owner may choose to impose. Even more dire is the situation where a park owner seeks to evict all homeowners as a result of the decision to sell or change the use of the property. One proposal to deal with this situation is to grant the homeowners a right of first refusal to purchase the park on the same terms offered by a proposed purchaser.

1. Providing a Right of First Refusal to Manufactured Homeowners' Associations
A.11559-B (Alessi); Chapter 561 of the Laws of 2008

This legislation provides a right of first refusal to a manufactured home park homeowners' association or the tenants thereof, meaning they may match any offer to purchase the park if the owner tries to sell it. It also establishes a special proceeding for the removal of manufactured homes that have been abandoned.

2. Creating a Maximum Limitation on Deposits
A.2122 (John); Passed Housing Committee

This legislation would limit the amount that a manufactured home park owner could require for a security deposit to no more than one month's rent for tenants who have rented in such park for two years or more. Additionally tenants would be excluded if they have defaulted on more than one month's rent in the past year.

3. Right of First Refusal
A.2123 (John); Passed Housing Committee

This bill would define and establish the rights of a manufactured home park homeowners' association, especially such rights as arise at the time of sale of a manufactured home park. It would provide resident manufactured homeowners the opportunity to purchase the park by and through a homeowner's association. It would establish the criteria that the homeowners' association would need to fulfill in order to purchase the park. The bill would also create guidelines related to the sale of the property and several exceptions that would preclude the transfer of the manufactured home park from initiating a right of first refusal for the homeowners' association.

J. Homeowner Protections During the Subprime Mortgage Crisis

The surge in foreclosures that began in 2006 has had wide-ranging effects on the economy and has affected homeowners from Montauk to Buffalo. Many families have lost their homes and entire neighborhoods are at risk. In order to stem this crisis, the Committee worked with the Committees on Consumers, Banks, Judiciary and Codes to advance strong and effective foreclosure prevention and assistance legislation during this Legislative Session.

The Assembly was also successful in securing much needed funds to increase homeowners' access to Foreclosure Prevention Assistance in the enacted 2008-09 Budget. The Budget provides \$25 million in grants through the state Division of Housing and Community Renewal (DHCR) for legal services and financial counseling to homeowners facing default and foreclosure.

1. Requiring Notice Prior to Foreclosure and Providing Homeownership Assistance
A.10083 (Silver); Passed Assembly

This bill would enact the "foreclosure prevention act of 2008" and would establish that before any mortgagee may accelerate the maturity of any eligible mortgage obligation, commence any legal action including mortgage foreclosure, or take possession of any security of the mortgage debtor for such mortgage obligation, such mortgagee shall give the mortgagor notice. The bill would also authorize the commissioner of the state division of housing and community renewal to enter into contracts with neighborhood preservation companies to provide temporary homeownership assistance activities.

K. Other

1. Providing Funds for Urban Initiatives Program Applicants

A.7001 (Lopez V); Chapter 168 of the Laws of 2008

This legislation authorizes eligible applicants for contracts under the Urban Initiatives Program to apply up to ten percent of project cost toward particular operating expenses. Previously, not-for-profits who applied for the Urban Initiatives Program used their own finances to cover their application costs as well as the costs of administering the program. This law will ensure that worthwhile projects are funded and developed by enabling not-for-profits to use contract awards to pay for application expenses, which can be significant.

2. Authorizing Housing Preferences for Police Officers

A.3227-A (Diaz, R.); Chapter 501 of the Laws of 2008

This legislation provides police officers in cities with a population of 100,000 or more an incentive to take up residency in such cities by offering preferential access to Mitchell-Lama and public housing, provided the city adopts a local law authorizing the preference and the police officers otherwise qualify for admission. The bill would also require applicants who receive awards from the Affordable Housing Corporation to provide a preference for homebuyers who are members of a police force in these same cities.

3. Broadening the Low-Income Housing Trust Fund Program

A.10812-A (Lopez, V.); Chapter 199 of the Laws of 2008

This legislation broadens the low-income housing trust fund program to provide funding for distressed and underutilized properties, raises the twenty-five percent cap on project acquisition cost to fifty percent, and increases to \$125,000 the maximum funding per unit for projects.

4. Providing Housing for Year-round Farmworkers

A.8819 (Magee); Chapter 407 of the Law of 2008

This bill would amend the Private Housing Finance Law to permit the Farmworker Housing Program to provide loans to farmers who furnish housing to year-round workers in addition to seasonal workers.

5. Providing Funding for Projects in Former Brownfield Sites

A.796 (Lopez); Passed Assembly

This would direct the Commissioner of the Division of Housing and Community Renewal and the Affordable Housing Corporation to grant preference in the award of Housing Trust Fund and Affordable Homeownership Development contracts to economically feasible projects that are located on brownfield sites, provided that the brownfield site has received a certificate of completion from the Department of Environmental Conservation.

6. Ensuring Housing Protections to People with Disabilities

A.7138 (Titus); Passed Assembly

This bill would ensure that housing protections provided to people with disabilities under Section 504 of the Federal Rehabilitation Act are also guaranteed by state law and therefore enforceable by state agencies.

7. Creating an Accessible Housing Registry

A.7107 (Titus); Passed Assembly

This bill would create a New York State housing registry containing up-to-date information regarding accessible housing statewide for people with disabilities.

8. Meeting the Need for Affordable Housing in the Peconic Bay Region

A.2847 (Thiele); Passed Assembly

This bill would assist in easing the need for affordable housing in the Peconic Bay region by creating the Peconic Bay Region Housing Opportunity Act, which would establish a community housing opportunity fund to provide loans to eligible residents.

9. Increasing the Minimum Heating Requirement

A.5596 (Lopez, V.); Passed Assembly

This bill would provide that certain multiple dwellings must be heated to a minimum temperature of 62 degrees Fahrenheit from October 1st to May 31st between 10 pm and 6 am. The current minimum temperature requirement is 55 degrees Fahrenheit.

IV. 2008 BUDGET HIGHLIGHTS

A. Mortgage Insurance Fund Projects Legislative Appropriation

Subprime Assistance \$25 million

This program provides assistance to homeowners who have subprime or unconventional mortgages and who are facing default or foreclosure. The funds will go to not-for-profit agencies and legal assistance providers who provide homeowners with mediation services, legal representation, and counseling on mortgage default and credit issues.

Mitchell-Lama Rehabilitation and Preservation \$54 million

This program provides low-cost financing to owners of state-financed Mitchell Lama developments who, in return, keep rents affordable and rehabilitate their properties. The program also provides low-cost financing to developers who build 100 percent affordable housing projects.

Long Island HELP Program \$6 million

The Homeownership and Economic Stabilization for Long Island Program (HELP) provides employees of participating businesses financial assistance to purchase and rehabilitate a home on Long Island. The program received \$6 million, a substantial increase over last year's total appropriation of \$390,000.

The Greater Catskills Flood Remediation Program \$15 million

The Greater Catskills Flood Remediation Program enables certain counties to purchase residences that were flooded and are now deemed unsuitable for living. Purchased properties will be dedicated and maintained in perpetuity for uses that are compatible with open space, recreational, flood mitigation, or wetlands management practices.

B. DHCR CAPITAL PROJECTS

Low Income Housing Trust Fund \$60 million

The Low Income Housing Trust Fund provides funding to not-for-profits, localities, and private developers for the construction or rehabilitation of affordable rental housing for low-income households. This year's appropriation is more than twice the Governor's proposal of \$29 million, which was the amount of last year's total appropriation.

Affordable Housing Corporation **\$45 million**

This program provides grants and loans of up to \$35,000 per unit (plus an additional \$5,000 in high cost areas) for rehabilitation and new construction of one-to-four family dwellings for low-to moderate-income New Yorkers. This year's appropriation of \$45 million amounts to an increase of \$20 million over the Governor's proposal and last year's appropriation of \$25 million.

Public Housing Modernization **\$17 million**

This program provides funding to modernize state-aided public housing projects and to address structural problems that threaten the safety of tenants. This year's appropriation amounts to an increase of \$5 million over last year's levels and the Executive's recommendation.

Homeless Housing Assistance Program **\$36 million**

The Homeless Housing Assistance Program provides funding for non-profits and other groups that buy, build, and rehabilitate housing for homeless people who are unable to secure adequate housing without special assistance, including homeless veterans, victims of domestic violence, adolescents aging out of foster care, the elderly, persons leaving correctional facilities, and individuals with disabilities, HIV, and AIDS. This program received \$6.5 million more than the Governor proposed.

Homes for Working Families **\$17 million**

The Homes for Working Families program helps finance the construction and rehabilitation of rental housing projects for low-income families and senior citizens. This program will receive an additional \$10 million more than the \$7 million recommended by the governor.

Urban Initiatives **\$3.5 million**

The Urban Initiatives program helps restore and improve urban areas by providing grants to charitable and not-for-profit groups who perform community-based preservation and renewal activities for housing, commercial areas, and community facilities. This program was unfunded in the Governor's proposal but will receive \$3.5 million under the budget passed by the legislature.

Rural Areas Revitalization Program **\$6 million**

The Rural Areas Revitalization program helps restore and improve rural areas by providing grants to charitable and not-for-profit groups who perform community-based preservation and renewal activities for housing, commercial areas, and community facilities. This program was unfunded in the Governor's proposal but will receive \$6 million under the budget passed by the legislature.

HOPE/Restore**\$4.4 million**

The HOPE/RESTORE program provides funds to help elderly residents make emergency repairs needed to eliminate hazardous conditions when the homeowner cannot afford to make repairs in a timely fashion. This program will receive an additional \$4 million more than the \$400,000 recommended by the Governor, for a total of \$4.4 million in funding for the coming year.

Access to Homes**\$4 million**

The Access to Homes program enables individuals with disabilities to live safely and comfortably in their homes by providing funds to help outfit homes with accessibility features such as wheel chair ramps and lifts, handrails, easy-to-reach kitchen work and storage areas, level handles on doors, and roll in showers with grab bars, among others. This program was unfunded in the Governor's proposal but will receive \$4 million in the budget passed by the legislature.

Main Street Program**\$5 million**

The Main Street Program helps revitalize and improve village centers and historic downtowns by supplying grants for building renovations, facade and streetscape improvements, and capital funding for projects that will anchor downtown districts. The appearance and functionality of main street buildings often determine the success of community revitalization efforts, and this program creates incentives for strategic investment of public and private resources. This program was unfunded in the Governor's proposal but will receive \$5 million in the budget passed by the legislature.

Infrastructure Development Demonstration Program**\$5 million**

The Infrastructure Development Demonstration Program helps promote the quality of affordable housing by assisting municipalities with the cost of infrastructure improvements such as sewer, water, and utility lines. This program was unfunded in the Governor's proposal but will receive \$5 million in the budget passed by the legislature.

C. Aid to Localities**Neighborhood Preservation Program****\$13.7 million**

The Neighborhood Preservation Program fosters community preservation and renewal throughout New York State by providing funds to groups that perform community preservation and renewal activities. Such activities include providing services related to home ownership financial counseling, tenant and client assistance services, and housing management for the benefit of people with low and low-to-moderate incomes. Funds may be used for administration and planning expenses necessary to carry those activities out. Originally this program was set to receive \$3.5 million in new funding for the coming year. During this year's special session, on August 8th, the funding amount was reduced by six percent in order to help close the budget gap.

The amount of new funding is now set at \$3.3 million, which is reflected in the overall appropriation of \$13.7 million.

NYCHA Tenant Patrol Pilot Program **\$928,220**

The Tenant Patrol Pilot Program helps ensure that State-constructed housing developments remain safe and free from crime by providing monthly stipends to tenants and other volunteers who serve as the “eyes and ears” of the police by patrolling housing developments and community and senior centers. This program will receive almost \$1 million in new funding for the coming year. The funding for NYCHA’s Tenant Patrol Pilot program was reduced during the August 8th special session by six percent. The initial amount of \$987,470 was reduced to \$928,220

Rural Preservation Program **\$6.2 million**

The Rural Preservation Program fosters community preservation and renewal specifically in the rural areas of New York State by providing funds to groups that perform community preservation and renewal activities. Such activities include providing services related to home ownership financial counseling, tenant and client assistance services, and housing management for the benefit of people with low and low-to-moderate incomes, and funds may be used for administration and planning expenses necessary to carry those activities out. This program was originally going to receive \$1.8 million in new funding for the coming year. However, the funding was reduced by six percent during the special session on August 8th. The amount of new funding has been reduced to \$1.7 million, which is reflected in the \$6.2 million total listed above.

Rural Rental Assistance **\$392,000**

The Rural Rental Assistance Program helps low income families and the elderly afford their rent payments by providing direct rent subsidies to owners of multi-family housing projects in rural areas of New York State. Eligible owners include Public Housing Authorities, non-profit corporations, and companies associated with the Housing Development Fund, the Mitchell-Lama Program, and the Rural Preservation Program. This program will receive \$392,000 in funding for the coming year.

Urban Homeowners Assistance Program **\$916,500**

The Urban Homeowners Assistance Program provides eligible neighborhood preservation companies with grants to establish Urban Homeownership Counseling Centers, which promote the purchase and rehabilitation of one-to-five family, owner-occupied buildings by providing credit counseling, homeownership training, and other technical assistance. This program was unfunded in the Governor’s proposal and was going to receive \$975,000 for the coming year, but this amount was reduced during the August 8th special session by six percent. The program will now receive \$916,500 in funding.

Lead Paint Poisoning Demonstration Program

\$188,000

This demonstration program provides funding to eligible not-for-profits to help them identify lead paint risks, educate and relocate families/individuals impacted by lead poisoning, and assist in abatement activities. This program was originally going to receive \$200,000 in new funding for the coming year. However, during the August 8th special session this amount was reduced by six percent for a new total of \$188,000.

V. OUTLOOK FOR 2009

The challenge of providing safe and affordable housing in New York State is larger than ever given continued budget shortfalls. The Committee seeks to achieve this goal by developing policies that leverage private resources, encourage individual home ownership, lead to the creation of new housing opportunities, and lower the cost of affordable housing development. The Assembly's commitment to housing remains strong, and the Committee is eager to work with the Executive and Senate to foster this commitment and develop new policies to ease the statewide housing crisis.

One of the top priorities for the Housing Committee in the upcoming session will be the extension of the Loft Law beyond its sunset date of May 31, 2010. Protecting tenants who currently reside in lofts designated as interim multiple dwellings units is an important piece in the affordable housing puzzle. The Committee will seek not only to extend the existing law but also to protect long-term tenants in lofts and to expand the law to cover unprotected loft tenants in Brooklyn, Manhattan, and other areas of New York City who are not covered because they were not in residence by the date required under the Multiple Dwelling Law.

The Committee will also focus on continuing the Service Contract Obligation Revenue (SCOR) Bond program to ensure an uninterrupted flow of state resources to affordable housing development. Since 1991, the SCOR Bond program has financed the rehabilitation and/or construction of over \$1 billion of affordable housing throughout New York State.

Another priority for the Committee is to obtain housing capital funding dedicated to the construction of affordable housing and to ensure that both the Housing Finance Agency (HFA) and the State of New York Mortgage Agency (SONYMA) have sufficient funds available to them so that they may continue to finance affordable housing throughout New York State.

The sub-prime lending crisis continues to have a severe, deleterious impact on the housing market. Many people are being forced out of their homes due to burdensome mortgages, which they entered without accurate disclosure by the lenders. The Housing Committee will work with other Assembly committees and housing advocates to ameliorate the effects of this crisis.

Finally, the Committee will continue to fight to ensure that the State budget provides adequate funding to assist in the development of affordable housing, the rehabilitation of existing units, and the expansion of housing opportunities for the homeless, the elderly, and those with special needs.

I look forward to my sixteenth year as chairman with enthusiasm and will make every effort to uphold the Assembly's commitment to quality, affordable housing for all of New York State's citizens.

**APPENDICES
APPENDIX A
2008 Summary Sheet
Summary of Action on All Bills Referred to the Committee on Housing**

<u>FINAL ACTION</u>	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
BILLS REPORTED WITH OR WITHOUT AMENDMENT			
TO FLOOR; NOT RETURNING TO COMMITTEE	8	0	8
TO FLOOR; RECOMMITTED AND DIED			
TO WAYS AND MEANS	13	0	13
TO CODES	15	0	15
TO RULES	5	0	5
TO JUDICIARY	0	0	0
TOTAL	41	0	41
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO HEALTH COMMITTEE	1	0	1
	0	0	0
	0	0	0
	0	0	0
TOTAL	1	0	1
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED	0	1	1
RECALLED	0	0	0
TOTAL	0	1	1
BILLS DEFEATED IN COMMITTEE	0	0	0
BILLS NEVER REPORTED, HELD IN COMMITTEE	40	0	40
BILLS NEVER REPORTED, DIED IN COMMITTEE	153	3	156
BILLS HAVING ENACTING CLAUSES STRICKEN	0	0	0
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	235	4	239
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	9		

APPENDIX B

Bills That Passed the Assembly

<u>BILL #</u>	<u>SPONSOR</u>	<u>SUBJECT</u>
A.352	Bing	Would protect tenants in Mitchell-Lama developments that become subject to Rent Stabilization or the Emergency Tenant Protection Act by prohibiting an owner from applying for a rent increase based on a claim that the transition is a “unique and peculiar circumstance” when a project withdraws from the program.
A.531	Dinowitz	Would ensure the delivery of essential services (as defined) in Mitchell-Lama housing by conditioning the Division of Housing and Community Renewal (DHCR) approval of rent increase applications on the delivery of those services and the correction of any hazardous conditions that might exist.
A.793	Lopez, V.	Would extend from twenty years to fifty years the period of time before limited-profit housing companies may dissolve and leave the Mitchell-Lama program.
A.795	Lopez, V.	Would authorize municipally aided Mitchell-Lama rental developments in New York City to pay dividends or interest in excess of six percent per year. Would also provide rent stabilization protection for tenants in Mitchell-Lama developments that still choose to buy out of the program. Would exempt developments where the tenants and owner have executed a settlement agreement regarding their respective rights and obligations.
A.796	Lopez, V.	Would give preferences to former brownfield sites with respect to Division of Housing and Community Renewal (DHCR) unified funding rounds. Would also provide that the commissioner of DHCR has discretion to determine contract awards through a competitive application process.
A.797	Lopez, V.	Would require Mitchell-Lama housing companies that intend to dissolve to provide notice of such intention to all their lease holders at least six months prior to the anticipated date of dissolution.
A.799	Lopez, V.	Would limit the ability of a landlord to take possession of rental units for his or her own personal use; would limit such recovery to a single unit per landlord and prohibit any recovery if a tenant has occupied the unit for twenty or more years.

<u>BILL #</u>	<u>SPONSOR</u>	<u>SUBJECT</u>
A.1025	Christensen	Would permit qualifying not-for-profit housing organizations involved in affordable home ownership development programs to apply up to ten percent of the program or project cost they are awarded toward the organization's operating expenses, including expenses related to and the administration of the contract.
A.1058	Christensen	Would permit qualifying not-for-profit housing organizations involved in certain rural area revitalization projects to use up to ten percent of the program or project cost they are awarded for the organization's operating expenses, including expenses related to their operating support and the administration of the contract.
A.1386	Lopez, V.	Would extend the rent and eviction protections of the New York City Rent Stabilization Law to Mitchell-Lama developments occupied on or after January 1, 1974.
A.2816-A	Glick	Would extend the Loft Law until May 31, 2010. Would also provide additional oversight for interim multiple dwellings, and would provide for additional remedies for residents of such dwellings.
A.2847	Thiele	Would assist in easing the need for affordable housing in the Peconic Bay region by creating the Peconic Bay Region Housing Opportunity Act, which would establish a community housing opportunity fund to provide loans to eligible residents.
A.2875-A	Lopez, V.	Would prohibit interruption of services in "would-be" interim multiple dwellings if the unit is used for residential purposes with the knowledge and consent of the owner. Would further provide that if the services have been interrupted or discontinued, the owner must restore such services for so long as residential occupancy continues.
A.2894	Lopez, V.	Would decrease from 20 percent to 10 percent the amount a landlord could increase rent upon vacancy, and would prohibit a landlord from taking more than one increase in any one calendar year.
A.4069	Lopez, V.	Would amend the Local Emergency Housing Rent Control Act by removing the provision that prohibits cities of one million or more from strengthening rent regulation laws to provide more comprehensive coverage than provided by state laws.
A.4196	Pretlow	Would provide rent and eviction protection to the tenants in former Mitchell-Lama buildings. Would authorize municipalities in Nassau, Westchester, and Rockland counties to declare a housing emergency for former Mitchell-Lama buildings that have voluntarily dissolved.

<u>BILL #</u>	<u>SPONSOR</u>	<u>SUBJECT</u>
A.4501	Brodsky	Would provide that in addition to the nine regular members of a rent guidelines board, there would be an additional three members who would be alternates, who would represent the public, landlords, and tenants.
A.4726-B	Lopez, V.	Would expand the existing Loft Law to people who lived in illegal lofts for a period of at least one year, from January 2006 to December 31, 2007. Would also extend the Loft Law to March 31, 2011.
A.5557	Wright	Would allow public housing tenants to conduct meetings free of charge in common areas owned by their housing authority.
A.5596	Lopez, V.	Would provide that certain multiple dwellings must be heated to a minimum temperature of 62 degrees Fahrenheit from October 1st to May 31st between 10 pm and 6 am.
A.5677	Lopez, V.	Would extend rent and eviction protections, pursuant to the Emergency Tenant Protection Act of 1974, to tenants living in former Federal Section 8 projects.
A.5742	Glick	Would define "demolition" for purposes of deregulation under the Rent Stabilization Law as the complete razing of the entire building, including exterior walls. Would also require owners seeking deregulation to demonstrate good faith in a hearing before the Division of Housing and Community Renewal.
A.6510	O'Donnell	Would reform the manner in which owners of rent regulated buildings are compensated for major capital improvements (MCIs). Would require that rent increases associated with MCIs be treated as a surcharge that would not become part of the legal regulated rent by which annual rent increases are calculated and would require that rent surcharges authorized for major capital improvements cease once the cost of the improvement has been recovered.
A.6898	Bing	Would require agencies that supervise Mitchell-Lama developments to undertake any measures necessary and proper to remedy violations of the agency's laws and regulations by owners of such Mitchell-Lama developments.
A.6999	Lopez, V.	Would provide that the term "mortgage" shall also include a loan owed to a bank secured by a second lien on a fee simple or leasehold estate in real property located in the state and improved by a residential structure, whether or not insured or guaranteed by the United States of America or any agency thereof, provided, however, that such second lien secures a loan purchased by the agency and is made at the same time as a first lien securing a loan purchased by the agency.

<u>BILL #</u>	<u>SPONSOR</u>	<u>SUBJECT</u>
A.7107	Titus	Would create a New York State housing registry containing up-to-date information regarding accessible housing statewide for people with disabilities.
A.7138	Titus	Would ensure that housing protections provided to people with disabilities under Section 504 of the Federal Rehabilitation Act are also guaranteed by state law and therefore enforceable by state agencies.
A.7416-A	Rosenthal	Would repeal vacancy decontrol of apartments renting at or above \$2,000/month and recapture all formerly rent-regulated apartments that rented for less than \$3,500/month as of January 1, 2007.
A.7647	Lopez, V.	Would allow the State of New York Mortgage Agency ("SONYMA") to issue and insure second mortgages for down payment and closing cost assistance to potential home owners. Would define the term "mortgage" to include a loan owed to a bank secured by a second lien (under certain limited circumstances), if the second lien secures a loan purchased by the agency and is made at the same time as a first lien securing a loan purchased by the agency.
A.8037	Kavanagh	Would require sponsors of cooperative or condominium conversions to notify cooperative shareholders or condominium owners of their right, as provided by federal law, to terminate a sponsor's self-dealing contract.
A.8956	Lopez, V.	Would require all municipally-aided Mitchell-Lama projects in New York City to post the names of all persons on each waiting list maintained by such project in the lobby.
A.9373-A	Lopez, V.	Would make certain technical corrections to laws relating to substantial government assistance, continued affordability, and certain other areas relating to real property.
A.10055-A	Jeffries	Would prohibit an owner from adjusting the amount of preferential rent upon the renewal of a lease and would allow the owner to make such adjustments only upon a vacancy that is not the result of the failure of the owner to maintain a habitable residence.

<u>BILL #</u>	<u>SPONSOR</u>	<u>SUBJECT</u>
A.10083-A	Silver	Would enact the "foreclosure prevention act of 2008" and would establish that before any mortgagee may accelerate the maturity of any eligible mortgage obligation, commence any legal action including mortgage foreclosure, or take possession of any security of the mortgage debtor for such mortgage obligation that such mortgagee shall give the mortgagor notice. Would also authorize the commissioner of the state division of housing and community renewal to enter into contracts with not-for-profit agencies to provide temporary homeownership assistance activities.
A.10647	Bing	This bill would increase the thresholds for high rent/high income decontrol and provide for annual adjustments in the future.
A.10823	Silver	Would amend the administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four in relation to civil penalties imposed for violation of administrative orders or for harassment of tenants to obtain vacancy of unit.

APPENDIX C
Bills Signed into Law by the Governor

<u>CHAPTER</u>	<u>BILL and SPONSOR</u>	<u>SUBJECT</u>
407	A.8819 Magee	Authorizes both year round and seasonal agricultural operations to borrow from the State's farmworker housing fund to improve or construct farmworker housing.
168	A.7001 Lopez, V.	Provides that up to ten percent of the project cost for urban initiative contracts may be used for particular operating expenses.
199	A.10812-A Lopez, V.	Broadens the low-income housing trust fund program to provide funding for distressed and underutilized properties, raises the 25 percent cap on project acquisition cost to 50 percent, and increases to \$125,000 the maximum funding per unit for projects.
501	A. 3227-A Diaz, R.	Provides police officers in cities with a population of 100,000 or more an incentive to take up residency in such cities by offering preferential access to Mitchell-Lama and public housing, provided the city adopts a local law authorizing the preference and the police officers otherwise qualify for admission. Requires applicants who receive awards from the Affordable Housing Corporation to provide a preference for homebuyers who are members of a police force in these same cities.
208	A.10997-A Bing	Provides for consolidation of supervisory functions over Mitchell-Lama companies. Also permits approval of loans in excess of the actual cost of a redevelopment project.
148	A.11005 Lopez, V.	Extends the authority of the State of New York Mortgage Agency to purchase forward commitment mortgages until July 16, 2009. Also authorizes SONYMA to issue an addition \$500 million in bonds.
150	A.11440 Rules (Camara)	Extends until July 23, 2010, the provisions of the definition of rehabilitation loan given by the state of New York mortgage agency requiring that at least 20% of such loan be used for rehabilitation or construction of improvements work.
129	A.11441 Rules (Lopez)	Increases the bonding authority of the New York city housing development corporation from \$7.75 billion to \$8.75 billion.

<u>CHAPTER</u>	<u>BILL and SPONSOR</u>	<u>SUBJECT</u>
151	A.11451 Rules (Titus)	Increases the aggregate amount of bonds and notes authorized to be issued by the housing finance agency from \$12.78 billion to \$13.78 billion.
561	A.11559-B Rules (Alessi)	Provides a right of first refusal to a manufactured home park homeowners' association or the tenants thereof; establishes special proceeding for the removal of abandoned manufactured homes.