

New York State Senate Standing Committee
Housing, Construction, and Community
Development



2015 Annual Report

Senator Catharine M. Young, Chair

THE SENATE
STATE OF NEW YORK



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CHAIR
HOUSING, CONSTRUCTION &
COMMUNITY DEVELOPMENT
LEGISLATIVE RURAL RESOURCES COMMISSION

STANDING COMMITTEES
AGRICULTURE
CHILDREN & FAMILIES
ENVIRONMENTAL CONSERVATION
FINANCE
HEALTH
INSURANCE
RULES
TRANSPORTATION

January 6, 2016

Honorable John J. Flanagan
Temporary President and Majority Leader
New York State Senate
Room 330, State Capitol Building
Albany, New York 12247

Dear Leader Flanagan:

As Chair of the Senate Standing Committee on Housing, Construction and Community Development, I am pleased to present you with the Committee's 2015 Annual Report.

Many of the Committee's priorities this year were enacted within the 2015-16 state fiscal year enacted budget, and the final bills of the 2015 Legislative Session. However, Committee priorities such as the Home for Heroes Program and granting homeless domestic violence victims the same preference granted other homeless individuals passed the Senate, but not the Assembly.

Among other legislation, the Committee considered bills which subsequently were signed into law. These include legislation to prevent local discrimination against the siting of manufactured housing and legislation which authorized New York City to restructure its regulatory agreements for the maintenance of multi-family buildings facing financial hardship.

As always, I appreciate the dedicated efforts of the members of the Housing Committee in reviewing legislation and providing the benefit of their valued perspectives.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Catharine M. Young', written over a large, stylized blue circular flourish.

Senator Catharine M. Young
Chair, New York State Senate Committee on Housing, Construction and Community Development

Table of Contents

Committee Members.....	3
2015 Legislative Highlights	
• Legislation enacted into law.....	4-5
• Legislation reported from the Committee, brought to a vote in the Senate.....	6-7
• Legislation discharged from the Committee, brought to a vote in the Senate	8
2015 Committee Activities	
• Nominations	9

2015 Annual Report

The Senate Standing Committee on Housing, Construction and Community Development

Senator Catharine Young, Chair
Senator Adriano Espaillat, Ranking Member

Committee Members

Senator Tony Avella
Senator John Bonacic
Senator Phil Boyle
Senator Patrick Gallivan
Senator Liz Krueger
Senator Michael Nozzolio
Senator Marc Panepinto

Committee Staff

Teresa Rossi, Counsel
Chelsey Watroba, Committee Clerk

Room 308
Legislative Office Building
Albany, New York 12247

HOUSING, CONSTRUCTION, AND COMMUNITY DEVELOPMENT LEGISLATION
ENACTED INTO LAW IN 2015

Chapter 48 of the Laws of 2015- (S.5081 Young/A.7913 Wright)

Section 778 of the Real Property Actions and Proceedings Law allows New York City to establish regulatory agreements to provide for the evaporation of loans for Article 7-A buildings.

The bill extends this section of law for an additional three year period until June 30, 2018.

The bill also amends Section 778 of the Real Property Tax Law to allow an Article 7-A administrator to utilize monies received from buildings in the Article 7-A program for managing the premises, in addition to the existing authorized purpose of replacing or substantially rehabilitating systems or making other repairs or capital improvements.

Chapter 85 of the Laws of 2015- (S.4978-A Young/A.7912 Wright)

This bill extends certain statutory authorization of the New York State Housing Finance Agency (HFA), State of New York Mortgage Agency (SONYMA) and SONYMA Mortgage Insurance Fund (MIF) for two years.

Section 1 of the bill increases the bonding authority of HFA by \$3 billion to a maximum of \$21.78 billion.

Sections 2 and 3 of the bill extend the authority of HFA to continue to issue new money bonds for certain multifamily housing projects from July 23, 2015 until July 23, 2017.

Section 4 extends SONYMA's authority to purchase forward commitment mortgages from July 23, 2015 to July 23, 2017.

Section 5 of the bill extends SONYMA's authority to issue new money taxable and tax-exempt bonds from July 23, 2015 until July 23, 2017.

Section 6 extends from July 23, 2015 to July 23, 2017, the sunset date of:

(i) Sections 6 and 9-17 of legislation enacted in 1989 that broadened the scope of the MIF to provide primary mortgage insurance on a statewide basis to individual homeowners and to provide pool insurance to all of SONYMA's loans

(ii) Section 13 of legislation enacted in 2004, concerning development corporation credit support relating to the Jacob Javits Convention Center.

Section 7 extends the sunset date of the requirement that at least 20% of a rehabilitation loan given by SONYMA be used for a rehabilitation and improvement construction from July 23, 2015 until July 23, 2017.

Section 8 extends the sunset date for the definition of government sponsored enterprises (GSEs) to July 23, 2017.

Section 9 extends the sunset date with regard to the authorization of the MIF to provide 100% mortgage insurance on certain loans for refinancing existing indebtedness on over leveraged building until July 23, 2017.

Chapter 425 of the Laws of 2015- (S.4193 Young/A.2362 Brindisi)

This legislation promotes the expansion of manufactured housing as a vehicle towards promoting more affordable housing by prohibiting exclusionary zoning and allowing manufactured housing in all jurisdictions as long as they meet the same are aesthetically compatible with other the neighborhood residences.

**LEGISLATION REPORTED FROM HOUSING, CONSTRUCTION, AND
COMMUNITY DEVELOPMENT COMMITTEE WHICH PASSED THE SENATE IN
2015**

S.1073 Golden/ A.2664 Weprin

This bill would grant the Commissioner of Buildings of New York City the power to vary or modify a provision or requirement of the multiple dwelling law in its application to the construction or alteration of multiple dwellings in New York City, where strict compliance with such law would cause “practical difficulties” or “unnecessary hardships.”

S.2279 Young

This bill directs the New York State Division of Housing and Community Renewal to coordinate with the New York State Department of State, New York State Department of Transportation, New York State Office of Parks and Recreation, and Empire State Development to establish the “New York Main Street Development Center” within the division. The Center would be available for providing resources and technical assistance to local government entities and developers for co-coordinating and guiding the redevelopment of any local Main Street Revitalization efforts in New York.

S.2281 Young

This bill would amend Section 26-511 of the Administrative Code of the City of New York to provide for the reinstatement of deemed lease provisions.

S.2314 Young

This bill would amend section 421-m of the Real Property Tax Law to extend the date by which construction must be commenced in order for a building to be eligible to obtain a 421-m tax exemption in localities which have enacted a 421-m tax exemption program from June 15, 2015 to June 15, 2018.

S.2316 Young/ A.3795 Wright

This legislation creates a new Article 28 in Private Housing Finance law, establishing the New York Access to Home for Heroes Program. The bill authorizes the Housing Trust Fund Corporation to establish a grant program to fund property modifications to the primary residence of disabled veterans who wish to make accessibility modifications to their home.

S.3342-A Lanza/ A.8140-A Wright

This bill would require the New York City Housing Authority (NYCHA) to provide a notice of opportunity to meet to discuss the possible termination of tenancy for elderly tenants age 62 or older.

S.4558-A Klein/ A.7268 Sepulveda

This bill would require the New York City Housing Authority (NYCHA) to grant homeless domestic violence victims the same preference granted other homeless in accessing NYCHA housing.

S.5056-A Young/ A.7938 Gjohaj

This legislation authorizes the City of New York, if it chooses to do so through local law, ordinance or resolution, to institute a Tenant Rent Increase Exemption (TRIE) program, for real property tax abatement for rent-controlled or rent regulated properties when the maximum authorized rent exceeds half of the tenants' household income.

S.5365-A Klein/ A.8013 Kavanagh

This bill authorizes greater oversight by the New York City Council over the New York City Housing Authority (NYCHA) by granting the council the ability to mandate NYCHA produce reports about any of its operations and provide information to the council.

**LEGISLATION COMMITTEE DISCHARGE FROM HOUSING, CONSTRUCTION,
AND COMMUNITY DEVELOPMENT COMMITTEE WHICH PASSED THE SENATE
IN 2015**

S.2829 Krueger/ A.1316 Rosenthal

The legislation amends the Emergency Tenant Protection Act of 1974 by addition a new section. The new section would require that a rent stabilized unit must be occupied as a primary residency by a natural person, or real human being, rather than a corporate or other entity. If the tenant is a corporate or other entity, the occupant must be a natural person who is either a current or retired employee of the entity. The legislation would also give the Commissioner of the Division of Housing and Community Renewal the ability to impose civil penalties on parties that violate this provision.

Additionally, the legislation amends the Administrative Code of the City of New York by adding a new section which would prohibit a landlord from knowingly renting a rent stabilized unit to a person or entity that is not using the accommodation as a primary residence. The bill also authorizes the Commissioner of the Division of Housing and Community Renewal to impose civil penalties on violators.

S.3204 Golden / A.3995 Wright

This bill would add a new section to the Administrative Code of the City of New York prohibiting the disclosure of information provided by mortgagees to the Department of Housing Preservation and Development (HPD), under the Freedom of Information Law (FOIL).

HOUSING, CONSTRUCTION, AND COMMUNITY DEVELOPMENT COMMITTEE
ACTIVITY: NOMINATIONS

Nominations

William C. Thompson, Jr., Director and Chairman, State of New York Mortgage Agency
On March 30, 2015, William C. Thompson, Jr. appeared before the Committee to be considered as Director and Chairman, New York State Housing Finance Agency and voted to move his nomination. William C. Thompson, Jr. was confirmed by the full Senate March 30, 2015.

William C. Thompson, Jr., Member and Chairman, New York State Housing Finance Agency
On March 30, 2015, William C. Thompson, Jr. appeared before the Committee to be considered as Member and Chairman, State of New York Mortgage Agency and voted to move his nomination. William C. Thompson, Jr. was confirmed by the full Senate March 30, 2015.

Bethaida Gonzalez, Member, State of New York Mortgage Agency
On June 15, 2015, the Committee considered the nomination of Bethaida Gonzalez as Member, State of New York Mortgage Agency and voted to move her nomination. Bethaida Gonzalez was confirmed by the full Senate June 16, 2015.

Timothy A. DeRuyscher, Member of the State Fire Prevention and Building Code Council
On June 18, 2015, the Committee considered the nomination of Timothy A. DeRuyscher as a Member of the State Fire Prevention and Building Code Council and voted to move his nomination. Timothy A. DeRuyscher was confirmed by the full Senate June 18, 2015.

Hector Batista, Member of the Battery Park City Authority
On June 18, 2015, the Committee considered the nomination of Hector Batista as a Member of the Battery Park City Authority and voted to move his nomination. Hector Batista was confirmed by the full Senate June 18, 2015.