



KATHY HOCHUL

Governor

RUTHANNE VISNAUSKAS

Commissioner/CEO

2024 HCR Regulatory Agenda

Pursuant to Section 202-d of the State Administrative Procedure Act (SAPA), this Agenda sets forth a list and brief description of the subject matter of regulatory amendments which the Division of Housing and Community Renewal (DHCR) is considering to these regulations as of March 1, 2024, set forth below.

DHCR's regulatory plans are subject to change, and DHCR reserves the right to add to, delete from, or modify items on the Agenda without further notice. SAPA Section 202-d does not preclude the DHCR from proposing a rule for adoption that is not described in this Agenda, nor is the DHCR required to propose any rule for adoption that is described in this Agenda.

This notice is also intended to provide small businesses, local governments, and public and private interests in rural areas with the opportunity to participate in the rule making process, as provided for in SAPA Section 202-b and 202-bb.

Amendments to the 9% Low-Income Housing Credit (“LIHTC”) Qualified Allocation Plan (“QAP”)- 9 NYCRR Part 2040 *et seq.* (the “9% QAP”) to strengthen affordability protections for LIHTC properties, increase minority and women owned business enterprise and service-disabled veteran owned business participation, and enhance and/or clarify existing standards for overall program administration, application review, project threshold eligibility, competitive scoring criteria, tax credit allocation and project compliance monitoring.

Amendments to the Low-Income Housing Credit (“LIHTC”) 4% Qualified Allocation Plan (“QAP”)- 21 NYCRR Part 2188 *et seq.* (the “4% QAP”) to strengthen affordability protections for LIHTC properties, increase minority and women owned business enterprise and service-disabled veteran owned business participation, enhance and/or clarify existing standards for overall program administration, application review, project threshold eligibility, tax credit issuance and project compliance monitoring.

Amendments to the New York State Low-Income Housing Tax Credit Program (“SLIHC”) – 9 NYCRR Part 2040.14 (the “SLIHC Regulation”) to incorporate changes to the SLIHC Regulation competitive scoring criteria that will ensure consistency with any modifications made to the 9% QAP scoring provisions, which it mirrors to the extent possible.

Amendments to the Rural Rental Assistance Program (“RRAP”) – 9 NYCRR Part 2800 *et seq.* (the “RRAP Regulations”) to clarify that the RRAP program runs through the NYS Housing Trust Fund Corporation and establish that state RRAP assistance may continue even after a federal USDA RD 515 mortgage has expired.

Amendments to the NYS DHCR Mitchell-Lama Regulations– 9 NYCRR Part 1700 *et seq.* (the “Mitchell-Lama Regulations”) to incorporate modifications for rent and carrying charge setting, modifications to comply with recent

statutory changes, clarifications regarding admissions and succession, and modifications to security deposit requirements.

Amendments to the Emergency Tenant Protection Regulations- 9 NYCRR Part 2500.1 *et seq.* ("TPR") to incorporate modifications required to comply with recent statutory changes, to make various technical changes, to correct minor drafting errors, and to consider any other modifications that may be necessary.

Amendments to the Rent Stabilization Code- 9 NYCRR Part 2520.1 *et seq.* ("RSC") to incorporate modifications required to comply with recent statutory changes, to make various technical changes, to correct minor drafting errors, and to consider any other modifications that may be necessary.

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