

STRICKEN AS OF END OF YEAR

Intro. Res. No. 1720-2011
Introduced by Legislator Browning

Laid on Table 8/2/2011

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A LOCAL LAW TO INCREASE THE NUMBER
OF RESIDENTS ELIGIBLE FOR FIRST-TIME HOMEBUYER
AUCTIONS IN SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2011, a proposed local law entitled, "**A LOCAL LAW TO INCREASE THE NUMBER OF RESIDENTS ELIGIBLE FOR FIRST-TIME HOMEBUYER AUCTIONS IN SUFFOLK COUNTY;**" now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INCREASE THE NUMBER OF RESIDENTS
ELIGIBLE FOR FIRST-TIME HOMEBUYER AUCTIONS IN
SUFFOLK COUNTY**

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Article 36 of the SUFFOLK COUNTY ADMINISTRATIVE CODE regulates the County's first-time homebuyer's auction for qualified individuals and families seeking to purchase their first home.

This Legislature also finds and determines that Article 36 currently restricts bidding at the first-time homebuyer's auction to those whose income does not exceed 80% of the HUD-established median income limits for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA), adjusted by family size.

This Legislature further finds and determines that some parcels in the County's inventory have not sold after being offered at multiple auctions.

This Legislature finds that the County of Suffolk should increase the median income limit at first-time homebuyer's auctions to expand the pool of eligible bidders.

This Legislature determines that expanding the pool of bidders at the first-time homebuyer's auction will increase the number of parcels sold, removing them from the County's inventory and returning them to the tax rolls.

Therefore, the purpose of this law is to increase the maximum eligible income for the County's first-time homebuyer's auction from 80% of the HUD median income limits for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA), adjusted by family size, to 120% of same.

Section 2. Amendments.

Section A36-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

ARTICLE XXXVI, Affordable Housing

§ A36-2. Suffolk County housing opportunities programs.

A. First-time homebuyers' auction:

(1) Habitable improved parcels shall be offered for sale at public auction exclusively to first-time homebuyers whose income does not exceed ~~[80%]~~ 120% of the HUD-established median income limits for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size.

(2) Deed restrictions.

(a) Parcels transferred pursuant to this section must be to a first-time homebuyer and shall contain deed restrictions as follows:

[1] Property must remain the principal residence of the first-time homebuyer for a period of at least five consecutive years; and

[2] Income of first-time homebuyer must not exceed ~~[80%]~~ 120% of the HUD-established median income limits for the Nassau-Suffolk PMSA adjusted by family size.

[3] Failure to comply with any of the restrictions herein shall result in the property reverting to Suffolk County.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: