



Legislation Text

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Proposed Int. No. 1006-A

By Council Members Nurse, Cabán, Gutiérrez, Williams, Louis and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to defining community land trusts for the provision of services in addition to housing that benefit the local community

Be it enacted by the Council as follows:

Section 1. Title 25 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

CHAPTER 9

COMMUNITY LAND TRUSTS

§ 25-901 Definitions. For purposes of this chapter, the following terms have the following meanings:

Community land trust. The term “community land trust” means a corporation that satisfies the following criteria: (i)(a) is incorporated pursuant to section 402 of the not-for-profit corporation law, section 501(c)(3) or 501(c)(2) of the United States internal revenue code, or by any other relevant provision of law; (b) the certificate of incorporation of which may provide for the provision of housing for persons of low income in the form of a community land trust, except for housing services governed by article 11 of the private housing finance law; (c) has submitted such disclosure statements as shall be required by the regulatory agency, New York state attorney general, United States internal revenue service, or by any other entity as provided by law, and received the approval of such regulatory agency, New York state attorney general, United States internal revenue service, or entity; (d) lawfully acquired all of its real property in full compliance with such corporation's certificate of incorporation and any agreements with a governmental entity with respect to such property or such corporation; (e) has demonstrated an ability to steward land in the form of a community land

trust for the provision of housing affordable to persons of low income and meeting other community needs; (f) has demonstrated a commitment to working with local residents or neighborhood-based organizations, or a track record of tenant and community organizing; and (ii) provides in its by-laws that it will (a) acquire parcels of land, primarily for conveyance under long-term ground leases and the transfer of ownership of any structural improvements located on such leased parcels to the lessees; (b) retain a preemptive option to purchase any such structural improvement at a price determined by formula that is designed to ensure that the improvement remains affordable to low-income households; (c) have a board of directors composed of lessees of property associated with the entity, an adult resident of a particular geographic area specified in the bylaws of the organization, and any other category of persons described in the bylaws of the organization, provided that lessees of property associated with the entity shall not constitute a majority of such board; and (d) encourage property uses that serve the interests of persons of low income residing or working in such geographic area that include, but may not be limited to, housing, commercial, social, recreational, communal, or other non-housing facilities.

Persons of low income. The term “persons of low income” has the same meaning as set forth in section 2 of the private housing finance law.

Regulatory agency. The term “regulatory agency” means an agency of the city.

§ 25-902 Regulatory agency. The regulatory agency may enter into a contract or other agreement with an eligible community land trust, provided that such contract or agreement shall also require that the community land trust enter into a 99-year ground lease agreement with the owners of structures or improvements located on land which is subject to the regulatory agreement, and provided further that such trust agrees to such terms and conditions as such agency deems necessary, and the trust:

1. is a recipient of a loan or grant from the city of New York;
2. acquires real property or an interest therein from the city of New York; or
3. receives a tax exemption approved by the council of the city of New York, upon the recommendation

of the regulatory agency.

§ 2. This local law takes effect 90 days after it becomes law.

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