

MAURICE CHALMERS
DIRECTOR
OFFICE OF LEGISLATIVE
BUDGET REVIEW



NASSAU COUNTY LEGISLATURE
1550 FRANKLIN AVENUE, ROOM 126
MINEOLA, NEW YORK 11501
(516) 571-6292

Inter-Departmental Memo

To: Hon. Richard Nicoletto, Presiding Officer
Hon. Kevan Abrahams, Minority Leader
All Members of the Nassau County Legislature

From: Maurice Chalmers, Director
Office of Legislative Budget Review

Date: December 13, 2019

Re: Clerk Item 489-19

Attached is a copy of the Fiscal Impact Statement for Clerk Item 489-19 which is on the Legislative Calendar for the December 16 hearing.

489-19: A Local Law to add a new title to the Miscellaneous Laws of Nassau County to require Housing Cooperatives to take timely action upon applications by prospective purchasers.



CLERK ITEM #489-19

**THE NASSAU COUNTY LEGISLATURE
OFFICE OF LEGISLATIVE BUDGET REVIEW
MAURICE CHALMERS, DIRECTOR
FISCAL IMPACT STATEMENT**

TITLE:

A Local Law to add a new title to the Miscellaneous Laws of Nassau County to require Housing Cooperatives to take timely action upon applications by prospective purchasers.

SUMMARY OF LEGISLATION:

The proposed legislation creates a new Title, referred to as Title XX of the Nassau County Miscellaneous Laws requiring Housing Cooperatives to take timely action upon receiving applications for the purchase of an ownership interest in the corporation. The Governing Board of any Cooperative Housing Corporation incorporated in New York State that exercises control over real property in Nassau County will be required to include a notice with all Cooperative housing applications detailing the purchaser's rights as outlined in this proposed law. The notice requires the Board of Cooperatives to:

- Within 15 days of receiving a purchaser's application, to either acknowledge the application is complete or that it is incomplete. Where the board has informed a prospective purchaser of a defect in an application, upon resubmission of an application, the board will have another 15 days to acknowledge the receipt.
- Within 45 days of receiving a purchaser's properly completed application, the governing board must either reject or approve the application.

The Nassau County Department of Consumer of Affairs is charged with ensuring compliance with this Local Law. The notice provides the contact information which includes the address and phone number for the Department of Consumer Affairs, for the applicant to inform the County of any violations. Failure to reject or approve an application in accordance with this Local Law shall constitute a violation punishable by a refund of all fees, payments or assessments collected from the purchaser in relation to the application process. Additionally, violations also include a written warning for the first offense, a \$1,000 fine for the second violation and a \$2,000 fine for the third and any subsequent violations.

This law will become null and void the day any State or Federal law goes into effect incorporating either the same or substantially similar provisions, or in the event that a pertinent state and federal administrative agency issues and promulgates regulations preempting such action by the County. The County Legislature may determine by resolution whether an identical or substantially similar state or federal law has been enacted for the purposes of triggering the reverse preemption.

EFFECTIVE DATE:

This Local Law shall take effect immediately.

FISCAL IMPACT:

This proposed Local Law is not expected to have a significant fiscal impact. Minimal revenue could be collected from violations related to enforcing the law. According to the Department of Consumer Affairs, they plan to enforce this law on a complaint driven basis.

ECONOMIC IMPACT:

The proposed law is not expected to have an economic impact on the local economy.

PREPARED BY:

Helen Carlson, Deputy Director
Ivonne Puente, Legislative Budget Analyst

SOURCES:

Department of Consumer Affairs