

**A09493 Summary:**

BILL NO A09493A

SAME AS SAME AS

SPONSOR Stern

COSPNSR Thiele, Englebright, Ramos, Wallace, Giglio JA, Gandolfo, McDonough, Solages, Griffin, Sillitti, Lavine, Burdick, Morinello, Jones, Hevesi, DeStefano, Fitzpatrick, Durso, Brown K, Montesano, Smullen, Lawler, Ra, Mikulin

MLTSPNSR

Add §6-p, Bank L; add §354-f, Exec L; add §29-a, Veterans' Services L

Provides that a veteran seeking a housing loan under chapter 37 of title 38 of the United States Code be offered loan counseling services prior to the processing of such application by a banking institution or mortgage lender.

A09493 Text:

# STATE OF NEW YORK

9493--A

## IN ASSEMBLY

March 7, 2022

Introduced by M. of A. STERN, THIELE, ENGLEBRIGHT, RAMOS, WALLACE, J. A. GIGLIO, GANDOLFO, McDONOUGH, SOLAGES, GRIFFIN, SILLITTI, LAVINE, BURDICK, MORINELLO, JONES, HEVESI -- read once and referred to the Committee on Banks -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the banking law and the executive law, in relation to certain notices and services upon application for a mortgage guaranteed under the "Servicemen's Readjustment Act of 1944"; and providing for the repeal of certain provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The banking law is amended by adding a new section 6-p to  
2 read as follows:

3 § 6-p. Loan counseling for mortgages guaranteed by the Servicemen's  
4 Readjustment Act of 1944. Every mortgage lending institution and mort-  
5 gage banker which originates loans secured by real property used for  
6 residential purposes located in this state which are to be guaranteed  
7 under the Servicemen's Readjustment Act of 1944 shall provide a separate  
8 disclosure form with each application stating that a veteran seeking a  
9 housing loan under chapter 37 of title 38 of the United States Code has  
10 been offered loan counseling services. Such loan counseling services  
11 shall be provided by the division of veterans' services under section  
12 three hundred fifty-four-f of the executive law upon request of an  
13 applicant. The disclosure form required by this section shall be signed  
14 by each applicant and shall include information detailing how to access  
15 such counseling services.

16 § 2. The executive law is amended by adding a new section 354-f to  
17 read as follows:

18 § 354-f. Loan counseling for mortgages guaranteed by the Servicemen's  
19 Readjustment Act of 1944. Upon the request of any veteran, the division  
20 shall provide counseling and assistance to applicants for a mortgage  
21 loan guaranteed by the Servicemen's Readjustment Act of 1944. Such  
22 service shall be provided either directly or through a contract with a  
23 not-for-profit entity which has a Commercial and Government Entity

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD14376-02-2

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1 (CAGE) code assigned by the federal System for Award Management and  
2 which is not owned by, affiliated with or operated by a mortgage compa-  
3 ny. Counselors shall be licensed in this state as either a real estate  
4 broker or a mortgage broker. Loan counseling and assistance shall  
5 include a review of the terms and restrictions of the loan, information  
6 determined by the state director to be appropriate for a veteran seeking  
7 a housing loan under chapter 37 of title 38 of the United States Code,  
8 and any other information which may be required under federal law, rule  
9 or regulation.

10 § 3. The veterans' services law is amended by adding a new section  
11 29-a to read as follows:

12 § 29-a. Loan counseling for mortgages guaranteed by the Servicemen's  
13 Readjustment Act of 1944. Upon the request of any veteran, the division  
14 shall provide counseling and assistance to applicants for a mortgage  
15 loan guaranteed by the Servicemen's Readjustment Act of 1944. Such  
16 service shall be provided either directly or through a contract with a  
17 not-for-profit entity which has a Commercial and Government Entity  
18 (CAGE) code assigned by the federal System for Award Management and  
19 which is not owned by, affiliated with or operated by a mortgage compa-  
20 ny. Counselors shall be licensed in this state as either a real estate  
21 broker or a mortgage broker. Loan counseling and assistance shall  
22 include a review of the terms and restrictions of the loan, information  
23 determined by the state director to be appropriate for a veteran seeking  
24 a housing loan under chapter 37 of title 38 of the United States Code,  
25 and any other information which may be required under federal law, rule  
26 or regulation.

27 § 4. This act shall take effect on the one hundred twentieth day after  
28 it shall have become a law; provided, however, that section three of  
29 this act shall take effect on the same date and in the same manner as  
30 section 2 of part PP of chapter 56 of the laws of 2022, takes effect;  
31 and provided, further, that section two of this act shall expire and be  
32 deemed repealed on the same date such chapter takes effect.