



City of New York  
DEPARTMENT OF  
HOUSING PRESERVATION AND DEVELOPMENT  
100 GOLD STREET, NEW YORK, N.Y. 10038  
nyc.gov/hpd

ADOLFO CARRIÓN JR.  
Commissioner

Honorable Adrienne Adams  
Speaker of the Council  
City Hall  
New York, New York 10007  
Attention: Jonathan Ettricks

March 8, 2022

Re: Southern & Willis.YR15.FY22  
Block 2268, Lot 13  
Block 2285, Lots 1, 2, and 3  
Block 2683, Lot 90  
Bronx, Community District No. 1 and 2  
Council District No. 8

Dear Madam Speaker:

The referenced property ("Exemption Area") contains five multiple dwellings known as Southern & Willis.YR15.FY22 which provide rental housing for low income families.

Under the proposed project, Willis Southern Housing Development Fund Corporation ("HDFC") will acquire the Exemption Area and Willis Avenue Housing, L.P. and 651 Southern Associates, L.P. (collectively, "Partnership") will be the beneficial owners and will operate the Exemption Area. The HDFC and Partnership (collectively, "Owner") will finance the rehabilitation of the Exemption Area with loans from HPD and the New York City Housing Development Corporation ("HDC"). The Owner, HPD and HDC will enter into a regulatory agreement establishing certain controls upon the operation of the Exemption Area.

A portion of the Exemption Area currently receives an exemption from (but not an abatement of) real property taxation pursuant to Section 489 of the Real Property Tax Law ("J-51 Benefits"). In order to ensure the continued affordability of the Exemption Area, HPD is requesting an Article XI exemption for the Exemption Area that will be reduced by an amount equal to any concurrent J-51 Benefits.

On February 1, 2022, HPD submitted a request to the Council to approve a 30-year exemption for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law. However, HPD is now amending its request as it has extended the term of the requested real property tax exemption from 30 to 40 years in order for the exemption to be coterminous with the term of the new regulatory agreement.

HPD respectfully requests that the Council approve, pursuant to Section 577 of the Private Housing Finance Law, an exemption from real property taxation as follows:

1. For the purposes hereof, the following terms shall have the following meanings:



- a. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that either (A) HPD and the Owner, or (B) HPD, HDC and the Owner, enter into the Regulatory Agreement.
  - b. "Exemption" shall mean the exemption from real property taxation provided hereunder.
  - c. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2268, Lot 13, Block 2285, Lots 1, 2, and 3, and Block 2683, Lot 90 on the Tax Map of the City of New York.
  - d. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - e. "HDFC" shall mean Willis Southern Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - f. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
  - g. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - h. "Owner" shall mean, collectively, the HDFC and the Partnership.
  - i. "Partnership" shall mean Willis Avenue Housing, L.P. and 651 Southern Associates, L.P. or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
  - j. "Regulatory Agreement" shall mean the regulatory agreement between either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, that is executed on or after November 1, 2021 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not



cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

HPD recommends approval of this matter and requests that it be referred to the appropriate committee at the next scheduled meeting of the Council.

Sincerely,



Adolfo Carrión Jr.

