



Legislation Details (With Text)

File #: Res 1654-2021 **Version:** * **Name:** LU 796 - 3800 Putnam HDFC.HPO.FY21, Block 3271, Lot 101.

Type: Resolution **Status:** Adopted

In control: Committee on Finance

On agenda: 5/27/2021

Enactment date: **Enactment #:**

Title: Resolution approving an exemption from real property taxes for property located at (Block 3271, Lot 101) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 796).

Sponsors:

Indexes:

Attachments: 1. Res. No. 1654, 2. Housing Preservation and Development Letter, 3. Memorandum, 4. May 27, 2021 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 5-27-21, 6. Minutes of the Stated Meeting - May 27, 2021

Date	Ver.	Action By	Action	Result
5/27/2021	*	Committee on Finance	P-C Item Approved by Comm	
5/27/2021	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK

RES. NO. 1654

Resolution approving an exemption from real property taxes for property located at (Block 3271, Lot 101) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 796).

By Council Member Dromm

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 3, 2021 that the Council take the following action regarding a housing project located at (Block 3271, Lot 101) Bronx (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

WHEREAS, The project description that HPD provided to the Council states that the purchaser of the Project (the “Owner”) is a duly organized housing development fund company under Article XI of the Private Housing Finance Law;

WHEREAS, the Council has considered the financial implications relating to the Tax Exemption;

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - b. “Company” shall mean Putnam II, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - c. “Effective Date” shall mean the later of (i) the date of the conveyance of the Exemption Area to the HDFC, or (ii) the fifth anniversary of the date that either (A) HPD and the Owner, or (B) HPD, HDC and the Owner, enter into the Regulatory Agreement.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3271, Lot 101 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty-five (35) 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.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to one percent (1.0%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDC” shall mean the New York City Housing Development Corporation.
 - j. “HDFC” shall mean 3800 Putnam Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - k. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - l. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - m. “Owner” shall mean, collectively, the HDFC and the Company.
 - n. “Prior Exemption” shall mean the existing tax exemption of the Exemption Area pursuant to

Office of the City Clerk, }

The City of New York } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of the City of New York on May 27, 2021, on file in this office.

City Clerk, Clerk of Council