

Honorable Corey Johnson
Speaker of the Council
City Hall
New York, New York 10007
Attention: Jonathan Etricks

OCT 19 2021

Re: Block 352, p/o Lot 49 (Tentative Lot 150)
Brooklyn, Community District No. 6
Council District No. 39

Dear Mr. Speaker:

The referenced property ("Exemption Area") will contain one multiple dwelling which will provide homeownership housing for low income families.

Under the proposed project, The 55 Summit Street Housing Development Fund Company, Inc. ("HDFC") will acquire the Exemption Area and SS Dev Partners LLC ("Company") will be the beneficial owner and will operate the Exemption Area. The Company, which is also the current fee owner, acquired the Exemption Area in 2019 and entered into a Mandatory Inclusionary Housing Restrictive Declaration with HPD dated November 25, 2020 that established certain controls upon the operation of the Exemption Area.

The Exemption Area currently does not receive any exemption from real property taxation. In order to facilitate the project, the Exemption Area needs an exemption from real property taxation.

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:

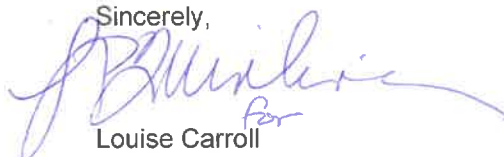
1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Company" shall mean SS Dev Partners LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. "Effective Date" shall mean the date of conveyance of the Exemption Area to the HDFC.
 - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
 - d. "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 352, p/o Lot 49 (Tentative Lot 150) 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 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.
 - f. "HDFC" shall mean The 55 Summit Street Housing Development Fund Company, Inc. or a housing development fund company that acquires that acquires the Exemption Area with the prior written consent of HPD.



- g. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. "Owner" shall mean, collectively, the HDFC and the Company.
 - i. "Regulatory Agreement" shall mean the Mandatory Inclusionary Housing Restrictive Declaration between HPD and the Company dated November 25, 2020, recorded and filed on December 4, 2020 CRFN No. 2020000345104, 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 a building on the Exemption Area that has a new permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before November 25, 2023, or as such deadline may be extended with the prior written consent of HPD.
 - 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, 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.

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,


Louise Carroll

