

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

OCT 18 2021

Re: Culver EI Phase I
Block 5295, Lots 4, 104, 105, 106, 107, 108,
111, 112, and 113
Brooklyn, Community District No. 12
Council District No. 39

Dear Mr. Speaker:

The referenced property ("Exemption Area") contains nine multiple dwellings known as Culver EI Phase I which will provide homeownership housing for low income families.

NYC Partnership Housing Development Fund Company, Inc. ("Owner"), the owner and operator, acquired the Exemption Area in 2014. The Owner financed the acquisition and construction of the Exemption Area with loans from the New York State Affordable Housing Corporation and a private lending institution. The Owner and HPD entered into a regulatory agreement establishing certain controls upon the operation of the Exemption Area ("Regulatory Agreement").

On June 7, 2018, the Council approved Resolution No. 393 ("Prior Resolution"), which authorized a tax exemption for the Exemption Area for six years. This exemption was set to expire on November 25, 2020. Since the approval of the Prior Resolution, construction has been substantially completed, but the units still are not yet ready for occupancy. In order to facilitate the project, the Prior Resolution as well as the Regulatory Agreement must now be amended to extend the term of the exemption from six to nine years. In addition, to clarify that the project does not have a beneficial owner, the definitions of Company and Owner must also be amended.

Accordingly, HPD respectfully requests that the Council amend the Prior Resolution by deleting definition a of paragraph 1 in its entirety and by deleting definitions e, h, and i of paragraph 1 thereof and replacing them as follows:

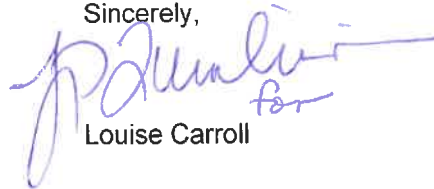
1. a. [Intentionally Omitted]
- e. "Expiration Date" shall mean with respect to any individual tax lot, now existing or hereafter created, within the Exemption Area, the earlier to occur of (i) a date which is nine (9) years from the Effective Date, (ii) the date of the expiration of termination of the Regulatory Agreement, or (iii) the date upon which any such tax lot ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
- h. "Owner" shall mean the HDFC.



- i. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner dated February 28, 2019, recorded and filed on March 28, 2019 CRFN No. 2019000099590, that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption and the amendment made to such Regulatory Agreement on or after September 1, 2021.

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,

A handwritten signature in blue ink, appearing to read "Louise Carroll", with a horizontal line extending to the right. The word "for" is written in smaller letters below the signature.

Louise Carroll

NYC



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