

September 8, 2020

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

Re: Kingston Heights Apartments  
Block 1676, Lot 1  
Block 1854, Lots 12, 14, 16, and 19  
Block 1863, Lot 44  
Block 1864, Lot 73  
Block 1871, Lots 3 and 5  
Brooklyn, Community District No. 3  
Council District No. 36

Dear Mr. Speaker:

The referenced property ("Exemption Area") contains nine multiple dwellings known as Kingston Heights Apartments which provide rental housing for low income families. Kingston Heights Apartments L.P. ("Current Owner"), a redevelopment company organized pursuant to Article V of the Private Housing Finance Law ("PHFL"), currently owns the Exemption Area.

Under the proposed project, Albany Kingston Housing Development Fund Corporation ("HDFC") will acquire a fee interest in the Exemption Area and Kingston Heights Housing LLC ("Company") will be the beneficial owner and will operate the Exemption Area. The HDFC and the Company (collectively, "New Owner") will finance the acquisition of the Exemption Area with a loan from the New York City Housing Development Corporation ("HDC"). The New Owner will enter into a regulatory agreement with HPD and HDC establishing certain controls upon the operation of the Exemption Area. Eligible tenants will receive Section 8 rental assistance.

The Exemption Area currently receives an exemption from real property taxation pursuant to Section 125 of the PHFL ("Current Exemption"). In order to facilitate the project, the Current Exemption must be terminated.

HPD respectfully requests that the Council approve the following:

1. For the purposes hereof, the following terms shall have the following meanings:
  - (a) "Company" shall mean Kingston Heights Housing LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
  - (b) "Current Exemption" shall mean the exemption from real property taxation for the Exemption Area pursuant to Section 125 of the PHFL approved by the New York City Council on November 28, 2007 (Resolution No. 1178).
  - (c) "Current Owner" shall mean Kingston Heights Apartments L.P.
  - (d) "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 1676, Lot 1, Block 1854, Lots 12, 14, 16, and



19, Block 1863, Lot 44, Block 1864, Lot 73, and Block 1871, Lots 3 and 5 on the Tax Map of the City of New York.

- (e) "HDC" shall mean the New York City Housing Development Corporation.
  - (f) "HDFC" shall mean Albany Kingston Housing Development Fund Corporation or a housing development fund company 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) "New Owner" shall mean, collectively, the HDFC and the Company.
  - (i) "PHFL" shall mean the Private Housing Finance Law.
  - (j) "Regulatory Agreement" shall mean the regulatory agreement among HPD, HDC, and the New Owner, establishing certain controls upon the operation of the Exemption Area and to be executed concurrently with the conveyance of the Exemption Area from the Current Owner to the New Owner and submitted to the City Register for recordation within two business days of such execution.
2. Approve, pursuant to Section 125 of the PHFL, the termination of the Current Exemption, which termination shall become effective one day preceding the later of the conveyance of the Exemption Area from the Current Owner to the New Owner and the execution of the Regulatory Agreement.
  3. Consent, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.
  4. If the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur either (i) within one day following the termination of the Current Exemption, or (ii) on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void, the dissolution of the Current Owner shall be rescinded, and both the obligations of the Current Owner to remain an Article V redevelopment company and the Current Exemption shall be reinstated as though they had never been terminated or interrupted.

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

