



Legislation Details (With Text)

**File #:** Res 0870-2023      **Version:** \*      **Name:** LU 298 - Sojourner Truth: Block 1841, Lot 1, Block 1863, Lot 29; Manhattan; Community District No. 7; Council District No. 7.

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Finance

**On agenda:** 12/20/2023

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving an additional period of exemption from real property taxes for property located at (Block 1841, Lot 1; Block 1863, Lot 29) Manhattan, pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (Preconsidered L.U. No. 298).

**Sponsors:** Justin L. Brannan

**Indexes:**

**Attachments:** 1. Housing Preservation and Development Letter, 2. Res. No. 870, 3. Memorandum, 4. Hearing Transcript 12/20/23, 5. December 20, 2023 - Stated Meeting Agenda, 6. Hearing Transcript - Stated Meeting 12-20-23

Date	Ver.	Action By	Action	Result
12/20/2023	*	Committee on Finance	Hearing on P-C Item by Comm	
12/20/2023	*	Committee on Finance	P-C Item Approved by Comm	Pass
12/20/2023	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK

PRECONSIDERED RES. NO. 870

Resolution approving an additional period of exemption from real property taxes for property located at (Block 1841, Lot 1; Block 1863, Lot 29) Manhattan, pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (Preconsidered L.U. No. 298).

By Council Member Brannan

**WHEREAS**, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated December 7, 2023 that the Council take the following action regarding a housing project located at (Block 1841, Lot 1; Block 1863, Lot 29) Manhattan (“Exemption Area”):

Approve an additional period of tax exemption from real property taxes pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (the “Tax Exemption”);

**WHEREAS**, The project description that HPD provided to the Council states that the owner of the Project (the “Owner”) for the subject period of the requested exemption was a duly organized housing redevelopment company formed pursuant to Article V of the Private Housing Finance Law;

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

**RESOLVED:**

1. For the purposes hereof, the following terms shall have the following meanings:
  - a) “Company” shall mean Columbus Avenue Redevelopment Company L.P..
  - b) “Contract 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 Contract Rent Differential Tax for the applicable tax year.
  - c) “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the date of the Regulatory Agreement.
  - d) “Contract Rent Differential Tax” shall mean the sum of (i) \$510,807 plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from, or abatement of, real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential 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.
  - e) “Effective Date” shall mean April 21, 2024.
  - f) “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - g) “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1841, Lot 1 and Block 1863, Lot 29 on the Tax Map of the City of New York.
  - h) “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 Redevelopment Agreement, (iii) the date of the expiration or termination of the Regulatory Agreement, (iv) the date of the expiration or termination of the Restrictive Agreement, (v) the date upon which the Exemption Area ceases to be owned by the Owner, (vi) the date upon which the City terminates the partial tax exemption pursuant to the terms of the Regulatory Agreement, or (vii) the date of the expiration or termination of the Exemption Area’s Section 8 Housing Assistance Payments contract.
  - i) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j) “Owner” shall mean the Company or, with the prior written approval of HPD, any future owner of the Exemption Area that is a redevelopment company organized pursuant to Article V of the Private Housing Finance Law.
  - k) “Redevelopment Agreement” shall mean the Agreement dated April 16, 1982 between the City



taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.

5. In consideration of the Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, (b) execute and record the Restrictive Agreement, and (c) for so long as the Exemption shall remain in effect, shall 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.

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 December 20, 2023, on file in this office.

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City Clerk, Clerk of Council