

**24532**

DATE: January 24, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing a second amendment to the agreement between the County of Westchester and Suburban Green Housing Development Fund Corp. in order to change the contract expiration date for the property located at 141 Morningside Avenue in the City of Yonkers.

On July 15, 2010, your Honorable Board approved a resolution to enter into an agreement with Suburban Green Housing Development Fund Corp. to provide a grant through the Neighborhood Stabilization Program (NSP). The grant is to be used for the acquisition and rehabilitation of the foreclosed two-family home at 141 Morningside Avenue in the City of Yonkers. The term of the agreement is July 1, 2010 to June 30, 2011, and the total amount of the grant is \$557,000.00 to be paid pursuant to an approved budget.

On June 23, 2011, your Honorable Board approved a resolution authorizing the County of Westchester to amend the above-referenced agreement with Suburban Green Housing Development Fund Corp. to change the contract expiration date from June 30, 2011 to December 31, 2011.

The attached resolution authorizes the County of Westchester to amend the above-referenced agreement with Suburban Green Housing Development Fund Corp. to change the contract expiration date from December 31, 2011 to June 30, 2012. All other terms and conditions of the agreement will remain the same.

Suburban Green Housing Development Fund Corp. has requested the amendment to the agreement as additional time is necessary to receive the Certificate of Occupancy and the subsequent marketing to eligible home purchasers and tenants. The NSP properties, as required by the program, are all located in areas that are impacted by the foreclosure crisis and may otherwise be in decline. As a result, it is more difficult to attract buyers who are also affected by more restrictive mortgage requirements and property appraisals.

The goal and objective of the original agreement is to provide affordable housing to low income families in Westchester County. The project will be monitored by Department of Planning staff, which will oversee the acquisition and rehabilitation and provide approvals for the property to be sold to income eligible homebuyers and rented to income eligible tenants selected pursuant to an approved Affirmative Fair Housing Marketing Plan. Department of Planning staff will also monitor ongoing occupancy to ensure the units are occupied as the primary residence, monitor all re-sale or refinance of the property and provide approval for subsequent income eligible resident households to assure the units are maintained as affordable housing for the term of affordability. Site visits will be made by Planning Department staff to ensure the property have been rehabilitated according to the contract specifications.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications and grant agreements (including any master grant agreement), as well as any guidance or instructions received from

the agency making the grant (the “Grant Terms”), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

I recommend approval of this second amendment.

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/23/2012 - JOMARY VIEIRA, SECRETARY

# RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that the County of Westchester is authorized to approve a second amendment to the agreement with Suburban Green Housing Development Fund Corp. for the acquisition and rehabilitation of the foreclosed property located at 141 Morningside Avenue in the City of Yonkers, in order to change the expiration date from December 31, 2011 to June 30, 2012, and it is further

RESOLVED, that all the other terms and conditions of the agreement will remain the same, and it is further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Recommended for Approval.

Original Agreement           \$557,000.00  
 First Amendment           \$0.00  
 This Amendment           \$0.00

TOTAL                           \$557,000.00

AGREEMENT NUMBER    C-NSP-10-09

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	914K	4380	T914	\$0.00

Budget Funding Year(s)    FY 2010   Start Date           July 1, 2010           End Date           June 30, 2012  
 (must match resolution)

Funding Source                           Tax Dollars \_\_\_\_\_

State Aid      \$0.00  

  \$0.00                             Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_