

30311

DATE November 9, 2012

TO: Board of Acquisition and Contract

FROM: Edward Burroughs
Commissioner of Planning

SUBJECT: Resolution authorizing a fifth amendment to the agreement between the County of Westchester and Suburban Green Housing Development Fund Corp. in order to increase the dollar amount for the property located at 30 South Thirteenth Avenue in the City of Mount Vernon

On July 1, 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 located at 30 South Thirteenth Avenue in the City of Mount Vernon. The term of the agreement was set as June 17, 2010 to March 31, 2011, and the total amount of the grant was \$650,000.00, to be paid pursuant to an approved budget.

On April 21, 2011, your Honorable Board approved a resolution to authorize an amendment to the agreement in order to change the contract expiration date from March 31, 2011 to July 31, 2011.

On September 29, 2011, your Honorable Board approved a resolution to authorize a second amendment to the agreement in order to change the contract expiration date from July 31, 2011 to December 31, 2011.

On February 23, 2012, your Honorable Board approved a resolution to authorize a third amendment to the agreement in order to change the contract expiration date from December 31, 2011 to September 30, 2012.

On September 6, 2012, your Honorable Board approved a resolution to authorize a fourth amendment to the agreement in order to change the contract expiration date from September 30, 2012 to September 30, 2013.

The attached resolution authorizes the County of Westchester to approve a fifth amendment to the agreement in order to increase the dollar amount from \$650,000.00 to \$750,000.00, a \$100,000.00 increase. 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 funds are necessary to complete the rehabilitation of the structure and cover the carrying costs of the property through this extended period. Based on experience of marketing NSP properties to this point, we have found that a longer than anticipated marketing period is required to identify

eligible buyers who are able to obtain mortgages, given today's banking standards. In the meantime, taxes, utilities and property maintenance must be paid until the property is sold.

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 occupancies to ensure the units are primary residences, monitor all re-sales or refinances of the properties and provide approvals for subsequent income eligible tenant 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 has been rehabilitated according to the contract specifications.

I recommend approval of this Fifth Amendment.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/06/2012 - JAMES M. VITALE, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to approve a fifth amendment to the agreement with Suburban Green Housing Development Fund Corp. for the acquisition and rehabilitation of the foreclosed property located at 30 South Thirteenth Avenue in the City of Mount Vernon, in order to increase the dollar amount from \$650,000.00 to \$750,000.00, an increase of \$100,000.00, 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.

| | |
|--------------------|------------------|
| Original Agreement | \$650,000.00 |
| Fourth Amendment | \$0.00 |
| Third Amendment | \$0.00 |
| Second Amendment | \$0.00 |
| First Amendment | \$0.00 |
| This Amendment | \$100,000.00 |
| TOTAL | \$750,000.00 |

AGREEMENT NUMBER C-NSP-10-06

Account to be Charged/Credited

| | | Major Program, Program & Phase | Object/ Sub Object | Trust Account | Dollars |
|------|------|-----------------------------------|-----------------------|------------------|--------------|
| Fund | Dept | Or Unit | | | |
| 263 | 19 | 914K | 4380 | T914 | \$100,000.00 |

Budget Funding Year(s) FY 2010 Start Date June 17, 2010 End Date September 30, 2013
(must match resolution)

| | |
|--|---------------------------------------|
| Funding Source | Tax Dollars _____ |
| | State Aid <u> \$100,000.00 </u> |
| \$100,000.00 (must match resolution) | Federal Aid _____ |
| | Other _____ |