

26754

DATE May 7, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing a third amendment to the agreement between the County of Westchester and Suburban Green Housing Development Fund Corp. for the acquisition and rehabilitation of the foreclosed two-family home located at 141 Morningside Avenue in the City of Yonkers in order to change the contract expiration date

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.

On February 23, 2012, your Honorable Board approved a resolution to enact a second amendment to this agreement to change the contract expiration date from December 31, 2011 to June 30, 2012.

The attached resolution authorizes the County of Westchester to amend the agreement with Suburban Green Housing Development Fund Corp. to change the contract expiration date from to June 30, 2012 to December 31, 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 for 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 amendment.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/07/2012 - 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 third 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 June 30, 2012 to December 31, 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.

Original Agreement \$557,000.00
 First Amendment \$0.00
 Second 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 December 31, 2012
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid \$0.00
 Federal Aid _____
 Other _____

\$0.00
 (must match resolution)