

77150

DATE June 2, 2020

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester (“County”) to enter into any and all agreements necessary for a new buyer of the affordable unit that furthers fair housing known as 208 Harris Road, Unit No. HA6, Bedford Hills, in the Town of Bedford, (the “Property”) to assume all of the obligations of the County’s Enforcement Note and Mortgage executed on July 20, 2018 by the current owner of the Property

The Westchester County Board of Legislators adopted Act No. 226- 2015 on November 9, 2015, authorized the County to purchase a one bedroom condominium located at 208 Harris Road, Unit No. HA6, Bedford Hills, in the Town of Bedford (the “Property”) in an amount not to exceed \$246,211, including settlement, marketing and property management costs, and to grant and accept any property rights necessary in furtherance thereof in connection therewith, including the assignment to the County of a Contract of Sale for the Property, and to re-convey the Property to an eligible buyer, in order to create an affordable home ownership unit that Affirmatively Furthers Fair Housing (“AFFH”) as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit entitled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York (the “Settlement Agreement”) and the Westchester County Affordable Housing Plan Statement of Need adopted by Resolution No. 107-1992.

On December 3, 2015, your Honorable Board authorized the County to enter into any and all agreements necessary to purchase the Property from the then current owner(s) of record in an amount not to exceed \$220,000, plus an additional amount not to exceed \$26,211 for settlement, marketing and property management costs, for a total amount not to exceed \$246,211, and to grant and accept any property rights necessary in furtherance thereof including , but not limited to, the assignment to the County of a Contract of Sale for the Property from the Housing Action Council, Inc., and to re-convey the Property to an eligible buyer, in order to create an affordable AFFH home ownership unit.

On December 16, 2015, the County purchased the Property from Gregory M. Wege, the owner at that time, on the terms and conditions previously authorized. On July 20, 2018, the County sold the Property to Paola Rios, a purchaser approved by the County in accordance with the affordability and other eligibility requirements attached to the Property. Paola Rios wishes to sell the Property to Maria Candeias, a purchaser who meets all of the County's affordability and other eligibility requirements for the sale.

Authority is being requested herein for the County to execute any and all agreements, including but not limited to, an assumption agreement for the new buyer to assume all of the obligations of the County's Enforcement Note and Mortgage originally executed by Paola Rios in connection with the purchase of the Property from the County. No County funds will be expended for this purpose.

The goal and objective is to protect the County's interest in the Property in connection with the Enforcement Note and Mortgage and to continue compliance with the affordability requirements of the Property. Further, it will create a home ownership opportunity for another eligible purchaser who may not otherwise be able to afford to purchase a home in Westchester County. Department of Planning staff will monitor the Property to ensure compliance with the ongoing affordability requirements.

I recommend that your Honorable Board approve the attached resolution.

NVD/LAC
Attachment

APPROVED BOARD OF ACQUISITION & COUNTY OFFICIALS
06/18/2018
LISA MARIJAS SUCHEMAN

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into any and all agreements necessary for a new buyer to assume all of the obligations of a certain Enforcement Note and Mortgage dated July 20, 2018 executed by Paola Rios to the County, in connection with the purchase a one bedroom condominium located at 208 Harris Road, Unit No. HA6, Bedford Hills, Town of Bedford; and be it further

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

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit & Bond Act	Object/ Sub Object	Trust Account	Dollars
318	19	BPL50-40-S BOND ACT 2015-227	6050	N/A	\$0.00

Budget Funding Year(s)

Start Date _____ End Date _____

Funding Source

Tax Dollars \$0.00

\$0.00

State Aid _____

(must match resolution)

Federal Aid _____

Other _____