

NEW YORK STATE PUBLIC AUTHORITIES CONTROL BOARD

R E S O L U T I O N No. 19-HF-777

APPROVING A SPECIFIED PROJECT OF THE HOUSING FINANCE AGENCY
(Affordable Housing Revenue Bonds - Our Lady of Loreto Phase II
Apartments)

WHEREAS, the New York State Public Authorities Control Board ("PACB"), created pursuant to Chapter 38, Laws of 1976, as amended, is empowered by Section 51 of the Public Authorities Law to receive applications from designated public benefit corporations, including the Housing Finance Agency ("HFA"), for approval of the acquisition, rehabilitation, construction or financing of any project proposed by any such public benefit corporation; and

WHEREAS, the PACB has duly received an application from the HFA for approval to fund the construction of 136 units of senior rental housing, where all units are expected to be set-aside for family households with income at or below 60% of the Area Median Income ("AMI") adjusted for family size for the New York, NY HUD Metro FMR Area MSA, to be known as the Our Lady of Loreto Phase II Apartments Project (the "Project"), to be located in the City of New York, Kings County and to be partially financed through the issuance of bonds in an amount not to exceed \$26,680,000; and

WHEREAS, the HFA intends to provide for the financing for the Project through the issuance of one or more series of fixed-rate or variable-rate, taxable or tax-exempt bonds in accordance with applicable provisions of the Internal Revenue Code of 1986, as

amended, with a final maturity of not more than 40 years (the "Bonds"); and

WHEREAS, the Bonds will be issued under the Affordable Housing Revenue Bonds Bond Resolution, adopted by the HFA Members on August 22, 2007, as supplemented (the "Affordable Housing Resolution"); and

WHEREAS, the Loan (as defined below) and other collateral for the Bonds, and the loans and collateral financed or refinanced with proceeds of additional bonds, if any, issued under the Affordable Housing Resolution, may be pledged to secure all bonds outstanding from time to time under the Affordable Housing Resolution; and

WHEREAS, to the extent the Bonds are issued as tax-exempt bonds, such Bonds will require an allocation of the State's Private Activity Bond Cap; and

WHEREAS, the HFA intends to award the Bonds by either negotiated sale or by a private placement; and

WHEREAS, the HFA expects to finance the Project through a mortgage loan to Loreto II LLC, with the developer expected to be Catholic Charities Progress of Peoples Development Corporation, in the maximum aggregate amount of \$26,680,000, with the Loan amortizing over not more than 40 years; and

WHEREAS, the total estimated cost of the construction of the Project is approximately \$48,222,971 comprised of the requested bond

financing, HCR Subsidy Loans from the 100% All Affordable NYC Program and Federal Housing Trust Fund funds, low income housing tax credits, Project Based Section 8 Vouchers, and solar tax credits, and a full real state tax exemption under the New York City 420 (c) program; and

WHEREAS, the Loan will be secured by a letter of credit provided by Wells Fargo Community Lending and Investment, and the SONYMA Mortgage Insurance Fund will provide insurance during the permanent loan period; and

WHEREAS, if upon final certification of costs of the Project it is determined that the costs of the Project that are eligible for tax-exempt reimbursement are lower than anticipated, requiring the redemption of tax-exempt Bonds previously issued, then the HFA may redeem said amount of the tax-exempt Bonds and issue a like amount of taxable Bonds provided that the aggregate amount of Bonds outstanding at any time does not exceed \$26,680,000; and

WHEREAS, a copy of the HFA's application has been duly filed with the Comptroller and he has had an opportunity to comment;

NOW, THEREFORE, BE IT RESOLVED, that PACB approves the Project identified below, in accordance with Section 51 of the Public Authorities Law:

Project Description

Our Lady of Loreto Phase II Apartments

The acquisition and construction of 136 units of affordable housing for use as senior rental housing.

(Kings County)

<u>Sources of Funds-Construction</u>	<u>Estimated Amount</u>	
HFA First Mortgage	\$ 3,300,000	
HFA Construction Loan	\$ 18,800,000	
HCR Subsidy: 100% All Affordable NYC 14,234,120		\$
HCR Subsidy: FHTF	\$ 3,780,000	
Tax Credit Equity: LIHTC	\$ 1,641,659	
Deferred Reserves	\$ 347,147	
Deferred Developer Fee	\$ 6,120,045	
Total Sources	\$ 48,222,971	

<u>Sources of Funds-Permanent</u>	<u>Estimated Amount</u>	
HFA First Mortgage	\$ 3,300,000	
HCR Subsidy:100% All Affordable NYC 21,160,000		\$
HCR Subsidy: FHTF	\$ 4,200,000	
Tax Credit Equity: LIHTC	\$ 18,549,810	
ITC (Solar) Equity	\$ 123,678	
Deferred Developer Fee	\$ 889,483	
Total Sources	\$ 48,222,971	

<u>Uses of Funds</u>	
Project Cost	\$ 42,312,933
Cost of Issuance	\$ 5,724,146
Bond Issuance Fee	\$ 185,892
Total Uses	\$ 48,222,971

Maximum Amount of Bonds to be Issued:
Not to Exceed \$26,680,000 Outstanding At Any Time

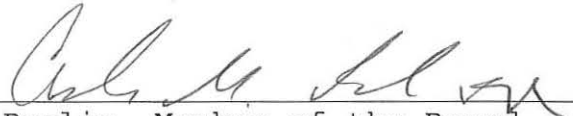
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The resolution shall become effective upon:

1. A determination by the HFA of the availability of Total Development Cost;
2. Receipt of a rating on the Bonds of not less than "A" from any nationally recognized rating agency from which a rating is requested; and
3. The award of Bonds at negotiated sale or private placement at a net interest cost not to exceed 7.50%.



Robert F. Mujica, Chair
Public Authorities Control Board



Amy Paulin, Member of the Board



Leroy Comrie, Member of the Board

19-HF-777

Date: September 11, 2019

CERTIFICATION

STATE OF NEW YORK
COUNTY OF ALBANY ss.

I, Dylan Williams, Assistant Secretary of the New York State Public Authorities Control Board, do hereby certify that at a meeting of such Board, held on September 11, 2019, the attached resolution was duly adopted by the unanimous vote of the Members of the Board. The resolution attached is a true copy of the resolution and the certification of the determination made by such resolution and of the signatures thereto of each of the Members of the Board or their duly appointed representatives, the original of which is on file in my office. As of the date of this certification, such resolution has not been modified, superseded, amended or repealed and remains in full force and effect.

In witness thereof I have hereunto set my hand this 11th day of September 2019.



Dylan Williams
Assistant Secretary

STATE OF NEW YORK
COUNTY OF ALBANY ss.

On this 11th day of September 2019, before me personally came Dylan Williams to me known, who, being by me duly sworn, did depose and say that he is the Assistant Secretary of the New York State Public Authorities Control Board, that she executed the foregoing certification and that the contents thereof are true.



Brittany N. Glenn
Notary Public, State of New York
No. 01GL6253075
Qualified in Rensselaer County
Commission Expires: 12/19/2019