

NEW YORK STATE PUBLIC AUTHORITIES CONTROL BOARD

R E S O L U T I O N No. 25-HF-1014

APPROVING A SPECIFIED PROJECT OF THE HOUSING FINANCE AGENCY
(Affordable Housing Revenue Bonds - Fulton Park Plaza)

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, PACB has duly received an application from HFA for approval of the rehabilitation of a six-story Mitchell-Lama housing complex located at 1711 Fulton Street in Brooklyn, preserving approximately 284 revenue-generating residential units, expected to be set aside for households with income at or below 90% of the Area Median Income adjusted for family size for the New York-Newark-Jersey City, NY-NJ-PA Metropolitan Statistical Area ("AMI"), and two non-revenue generating superintendent's units, known as Fulton Park Plaza (the "Project") to be partially financed 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 50 years (the "Bonds") in an amount not

to exceed \$66,125,000; 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 may require an allocation of the State's Private Activity Bond Cap; and

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

WHEREAS, HFA may determine to issue all or a portion of the Bonds as variable-rate Bonds, which may have maximum rates higher than 7.50% but will have an initial interest rate that does not exceed 7.50%; and

WHEREAS, HFA expects to finance the Project through a mortgage loan (the "Loan") to 1711 Fulton Redevelopment, LLC, a single-purpose entity whose principals are Timothy Henzy and Darren Smith, in the maximum aggregate amount of \$66,125,000, with the Loan

amortizing over not more than 50 years; and

WHEREAS, the total estimated development cost of the Project is approximately \$224,309,268 ("Total Development Cost") (inclusive of the previously approved acquisition) comprising the requested bond financing, state low-income housing tax credits, federal and state historic tax credits, HFA subsidy loans, deferred reserves, and a deferred developer fee; and

WHEREAS, the Loan will be secured by supplemental security provided by JP Morgan Chase, N.A., during construction and by the SONYMA Mortgage Insurance Fund 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 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 \$66,125,000; 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

Fulton Park Plaza

The funding of rehabilitation of a Mitchell-Lama housing project containing 286 units

(Kings County)

<u>Sources of Funds-Construction</u>	<u>Estimated Amount:</u> <u>Total Project</u>
HFA First Mortgage (Long-Term Bonds)	\$ 19,800,000
HFA Construction Loan (Short-Term Bonds)	\$ 37,700,000
HFA Acquisition Loan (Subsidy - MLLP)	\$ 69,910,280
HFA Rehabilitation Loan (Subsidy - MLLP)	\$ 7,071,810
HFA Accrued Interest during Construction	\$ 11,522,069
Clean Energy Initiative (CEI)	\$ 3,861,000
HFA MPP B Loan	\$ 44,650,000
State Low Income Housing Tax Credits	\$ 5,275,472
Federal Historic Tax Credits	\$ 4,438,351
State Historic Tax Credits	\$ 719,928
Deferred Reserves	\$ 1,993,820
Deferred Developer Fee	\$ 17,366,537
Total Sources	\$ 224,309,268

<u>Sources of Funds-Permanent</u>	<u>Estimated Amount:</u> <u>Total Project</u>
HFA First Mortgage (Long-Term Bonds)	\$ 19,800,000
HFA Acquisition Loan (Subsidy - MLLP)	\$ 69,910,280
HFA Rehabilitation Loan (Subsidy - MLLP)	\$ 7,444,011
HFA Accrued Interest during Construction	\$ 11,522,069
Clean Energy Initiative (CEI)	\$ 3,861,000
HFA B Loan	\$ 44,650,000
State Low Income Housing Tax Credits	\$ 26,377,362
Federal Historic Tax Credits	\$ 22,191,755
State Historic Tax Credits	\$ 3,599,640
ITC Tax Credit Equity	\$ 203,151
Deferred Developer Fee	\$ 12,400,000
Total Sources	\$ 224,309,268

<u>Uses of Funds</u>	
Project Cost	\$ 221,864,670
Cost of Issuance	\$ 1,172,931
Bond Issuance Fee	\$ 1,271,667
Total Uses	\$ 224,309,268

Maximum Amount of Bonds to be Issued:
Not to Exceed \$66,125,000 Outstanding at Any Time


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The resolution shall become effective upon:

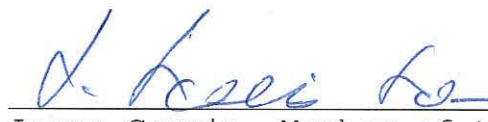
1. A determination by the HFA of the availability of Total Development Cost;
2. Receipt of a rating on the Bonds of not less than "A" from any nationally recognized rating agency from which a rating is requested; and
3. The award of Bonds at negotiated sale or private placement at a net interest cost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



Blake G. Washington, Chair
Public Authorities Control Board



Steven Otis, Member of the Board



Leroy Comrie, Member of the Board

25-HF-1014

Date: June 25, 2025

CERTIFICATION

STATE OF NEW YORK
COUNTY OF ALBANY ss.

I, Elyse Young, Secretary of the New York State Public Authorities Control Board, do hereby certify that at a meeting of such Board, held on June 25, 2025, 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 25th day of June 2025.



Elyse Young
Secretary

STATE OF NEW YORK
COUNTY OF ALBANY ss.

On this 25th day of June 2025, before me personally came Elyse Young to me known, who, being by me duly sworn, did depose and say that she is the 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: 12/19/2027