

EXHIBIT 4B

COMPLIANCE CERTIFICATE- REAL PROPERTY

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Name of Funding Recipient: _____

Name of Declarant/real property owner if other than Funding Recipient:

Address of Premises: _____

Block/Lot: _____

Declaration of Restrictive Covenant (the “Declaration”): Date _____

City Register File Number (CRFN): _____

City Purpose Covenant Performance Term (No. of years): _____

Please note that in certain circumstances, such as if the real property is owned by the City, the State of New York or the Federal Government, there would be no Declaration. Check here if applicable:

Instructions: An authorized officer of the Funding Recipient should read and complete this Compliance Report with respect to the Funding Recipient’s compliance with all Legal Requirements in connection with the Funding received from the City of New York’s (the “City’s) Capital Budget for the reimbursement of Real Property Acquisition or Construction/Renovation. Where applicable, please insert an explanation in the provided field or provide a supplemental attachment. Defined terms utilized and not otherwise defined herein shall have the meanings assigned to such terms in the Funding Agreement and the Declaration of Restrictive Covenant. ***The submission of each Compliance Report to the City constitutes a representation and warranty that all information contained herein is timely, complete and correct. Any false, incomplete or misleading statements or information submitted herein may result in termination of the Funding or other legal remedies permitted under the Funding Agreement and deemed appropriate by the City.***

Compliance Reports are due one year after the date of the Declaration of Restrictive Covenant, and on each anniversary thereof until and including the first such anniversary occurring after the last year of the Performance Term. Please mail the completed Compliance Reports and all attachments to the New York City Office of Management and Budget (“OMB”) at: ***Counsel’s Office, Compliance Officer, New York City Office of Management and Budget, 255 Greenwich Street, New York, NY 10007.*** Additionally, Funding Recipient is required to upload a completed Compliance Report as part of any subsequent City Capital Funding application until the expiration of the Performance Term.

Amendments to Declaration:

If amendments were executed to the original Declaration, please identify each amendment and its respective date in the space below.

Funding Agreements or other City capital contracts for Real Property Projects at the Premises:

If the City funded multiple real property projects in relation to the Premises, list all relevant funding agreements, the date(s) of such agreement(s) and the applicable project managing agency in the space below.

Funding Agreements or other City capital contracts for Equipment or Vehicle Projects at the Premises:

Please list any and all relevant funding agreements, the date(s) of such agreement(s) and the applicable project managing agency in the space below. Note that there is a separate “Compliance Report for Equipment and Vehicle(s)” form that must also be submitted where applicable.

CERTIFICATION: I, _____, am an authorized officer of the Funding Recipient, and I certify as to the truthfulness of the responses provided herein.

1. (a) Funding Recipient holds, occupies and uses the Premises solely in conformance with all requirements under the Declaration, including the City Purpose Covenant: Yes No
If No, please explain in detail in the space below, including the remedial steps Funding Recipient has taken and plans to take.

(b) In the space below, for the preceding 12-month period, please (i) describe in detail how the Premises have been used by the Funding Recipient in conformance with the City Purpose Covenant, (ii) identify the number of staff, volunteers, and beneficiaries of services, (iii) list the number of days of use, days used during the average week and regular hours of operation, (iv) identify any and all additional or alternative uses, activities, programs and services beyond those set forth in the City Purpose Covenant and (v) if portions of the Premises were rented or leased to other users, identify the organization(s) and/or entities leasing or renting space in the Premises, and describe the term and purpose of such rental.

- (c) Are the Premises used exclusively to provide services that are available to all residents of the City regardless of race, religion, creed, color, national origin, sex, age, disability, marital status, sexual orientation or political affiliation? **Yes** **No**

If Yes or No, please explain.

2. (a) Has any portion of the Premises been used at any time for religious or sectarian activity including religious worship, instruction, prayer or proselytization or otherwise been used to plan and organize such activities?
Yes **No**
- (b) If applicable, was such religious or sectarian activity reviewed by the City prior to the execution of the Declaration? **Yes** **No**
- (c) In the space below, please describe such activities and identify the frequency and duration of such activities.

- (d) If Yes is the response to (a) above, has the portion of the Premises used for such religious or sectarian activity been improved and/or constructed with City capital funds or, have any common elements been improved and/or constructed with City capital funds? **Yes** **No**
- (e) If Yes is the response to (d) above, please describe how such religious or sectarian activity complies with the terms of the Declaration.

3. (a) Identify all liens on the Premises, excluding the City's lien:

(b) Has the Declaration been recorded with the Office of the City Register of the City of New York as the first priority lien interest on the title of the Premises?

Yes **No**

If No, please explain in detail in the space below. **If No, Funding Recipient must take immediate action to record the Declaration as a first priority lien interest on the title of the Premises.**

If Yes, please explain how the City can be assured that its lien is senior to each lien identified in (a) above.

4. (a) Have any of the improvements to the Premises, paid for in whole or part with City funds, been altered, damaged, demolished, destroyed or removed? **Yes** **No**

(b) If Yes is the response to (a) above, (i) describe any alterations to the City-funded portion of the Premises, (ii) describe any damage and/or destruction to the Premises and the date of such event, (iii) describe any restoration work needed to remediate any damage or destruction and (iv) if applicable, identify the period of time Funding Recipient was unable to use the Premises due to the impairment event and restoration work.

5. Funding Recipient (i) is a not-for-profit corporation in good standing under the laws of the State of New York, (ii) has not experienced a material adverse change in the financial condition of its business or operations, (iii) is not in default or breach of its obligations under any written agreement with the City, (iv) complies with all Requirements applicable to the use and operation of the Premises and (v) has not received a notice of default in the payment to the City of any taxes, sewer rents or water charges:

Yes No

If No to any of the above, please explain.

6. If applicable, has Funding Recipient maintained the required insurance coverage for the Premises as mandated by the Funding Agreement(s)? Yes No

If Yes, describe the type of coverage (e.g., commercial general liability insurance, property insurance), the insurance provider, the dollar amount of coverage and the term of coverage.

If No, explain why such insurance is not maintained.

7. Optional - additional relevant information: Provide in the space below any information that Funding Recipient would like the City to take into consideration:

(Print Name of Authorized Representative of Funding Recipient)

(Title)

(Signature)

(Date)

CERTIFICATION OF DECLARANT – REAL PROPERTY OWNER

I, _____, hereby certify by my signature below, that I am the Authorized Officer of _____, the owner of the Premises as defined in the Declaration of Restrictive Covenant. I hereby certify to the City of New York, the Premises have been held, occupied and used in compliance with the requirements of the Declaration of Restrictive Covenant.

Dated as of:

(Print Name of Real Property Owner)

(Print Name of Authorized Representative)

(Title)

(Signature)