

421-a(16) OWNER’S AFFIDAVIT FOR WORKBOOK SUBMISSION

STATE OF NEW YORK)
) SS
 COUNTY OF _____)

_____, being duly sworn, under penalty of perjury, deposes and says:

Unless otherwise defined herein, capitalized terms utilized below shall have the same meaning as in RPTL Section 421-a(16) and 28 RCNY Chapter 51.

[Check applicable box:]

1.a. I am _____ (name, title and owner entity; *if multiple owners, will require separate certification for each co-owner*), the owner (“Owner”) of real property located in the Borough of _____ in the City and State of New York, known as and by the street address _____, and identified as Block _____, Lot(s) _____ on the Tax Map of the City of New York (“Premises”) for which Owner intends to make an application for a Certificate of Eligibility for a real property tax exemption pursuant to Real Property Tax Law Section 421-a (16) (“Application”).

1.b. I, _____, (name, title and owner entity; *if multiple owners, will require separate certification for each co-owner*) held fee title or the leasehold interest under a ground lease of the real property located in the Borough of _____ in the City and State of New York, known as and by the street address _____, and identified as Block _____, Lot(s) _____ on the Tax Map of the City of New York (“Premises”) at the time of the original Workbook filing, and I am authorized to submit the Workbook, in connection with an intended application for a Certificate of Eligibility for a real property tax exemption pursuant to Real Property Tax Law Section 421-a (16), on behalf of all persons or entities that currently hold fee title to or the leasehold interest under a ground lease of the real property identified in the Workbook.

2. I have read and understand the requirements for a Real Property Tax Law (“RPTL”) Section 421-a (16) tax exemption.
3. I understand that it is my sole responsibility to select Affordability Option A, B, C, D, E, F or G in the Workbook as appropriate and authorized for the Premises.
4. The attached Workbook identifies all planned Affordable Housing Units and Market Units at the Premises, as well as other information about the Application and the planned construction pursuant to RPTL § 421-a (16).
5. I swear or affirm that all information set forth in the Workbook is true and correct, and that it reflects the plans approved by the Department of Buildings of the City of New York, including all post-approval amendments.
6. The Workbook is intended to be a written instrument as defined in Article 175 of the Penal Law and I understand that any false statement is punishable as a Class E felony that provides a term of imprisonment not to exceed four years.
7. I understand that, aside from projects receiving tax exempt bond proceeds or tax credits and certain multi-building projects, no changes to the Utility Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area will be allowed after the first

Workbook is submitted, pursuant to Section 51-01(b)(1) of Title 28 of the Rules of the City of New York (“RCNY”).

8. The Premises will operate as rental housing. I will register all Affordable Housing Units, as well as all Market Units with rents at initial occupancy that are below the vacancy decontrol threshold on or after the date of the Workbook, with the State of New York Division of Housing and Community Renewal and offer initial leases of not less than two years to tenants of such units, or a one-year lease at the request of the tenant, in accordance with Rent Stabilization.
9. I understand that the Premises must comply with the requirements of RPTL § 421-a (16) and 28 RCNY Chapter 51, and that Affordable Housing Units, must (a) remain rent stabilized for the Restriction Period or the Extended Restriction Period, as applicable, (b) allow tenants holding a lease and in occupancy at the end of the Restriction Period or the Extended Restriction Period, as applicable, to remain as rent stabilized tenants for the duration of their occupancy, and (c) upon the renewal of leases or at any time during the term of the lease, be rented in accordance with RPTL § 421-a (16) and 28 RCNY Chapter 51.
10. I understand that all Affordable Housing Units must share the same Common Areas as the Market Units in an Eligible Multiple Dwelling on the Premises.
11. I understand that any Affordable Housing Units that are leased to tenants after the Workbook has been approved shall, in the event the Application is never filed, is withdrawn, or is not approved, remain subject to Rent Stabilization until such tenants vacate those Affordable Housing Units
12. I understand that if the City of New York finds that the Workbook and/or supporting documents, including, but not limited to, where applicable, the RP-602 or RP-604 executed and approved by the Department of Finance of the City of New York, contain incorrect or misleading information of a substantial nature or have omitted information of a material nature, the Department of Housing Preservation and Development may initiate revocation proceedings pursuant to 28 RCNY Chapter 39 that might result in the revocation of the RPTL § 421-a(16) real property tax exemption for the Premises.
13. I make these statements to induce the City of New York to grant a tax exemption pursuant to RPTL § 421-a (16) and any rules promulgated thereunder, and know the City of New York will rely on the veracity of such statements in making such determination, and I certify that the above statements are true and correct under penalty of perjury.

Owner Signature

Owner Title

Owner Affiliation

Sworn to me this ____ day of _____, 20____
Notary Public or Commissioner of Deeds

ANY ALTERATIONS TO THIS TEMPLATE WILL NOT BE ACCEPTED BY HPD