

REVISED
CITY OF BUFFALO URBAN RENEWAL AGENCY
LOAN COMMITTEE MEETING MINUTES
February 2, 9 and 14, 2012 Meetings

February 2, 2012

Roll Call

Members Present

Commissioner Janet Penksa
Brendan Mehaffy
David Rodriguez, Corporation Counsel

Staff Present

Scott C. Billman
Yvonne McCray
Risë Geller

Mr. Mehaffy called the meeting to order at 9:40 a.m. Commissioner Penksa made the motion to waive the reading of the minutes for the December 13, 2011 meeting, and that they are accepted; seconded by Corporation Counsel Rodriguez and carried unanimously.

The Loan Committee reconvened on February 9th, 2012 with a special meeting on February 14, 2012.

New Business

Housing Division Action Loan Cases were presented by Yvonne McCray Director of Housing

Waiver of Arrearages Limit Denial - 23 Shields

Record owner of 23 Shields has a current payment plan with arrearages. Owner is seeking a waiver of the arrearages limit so that they can apply to the Emergency Program. Record owner has County tax arrearages totaling \$3,894 (2003-2011) and more than \$5,200 is owed to the City for taxes and user fees. OSP policy provides that an application may be accepted from an owner who has a current payment plan with arrearages that total less than \$3,000. All other cases require LRC review. Division of Housing Loan Review Committee recommends denial of a waiver of the arrearages limit based on the excessive level of payments owing to both the city and the county.

Waiver of Arrearages Limit Denial - 220 Normal

Record owner of 220 Normal has a current payment plan with arrearages. Owner is seeking a waiver of the arrearages limit so that they can apply to the Emergency Program. Record owner has County tax arrearages totaling 1,604 (2007-2011) and more than \$1,400 is owed to the City for user fees. OSP policy provides that an application may be accepted from an owner who has a current payment plan with arrearages that total less than \$3,000. All other cases require LRC review. Division of Housing Loan Review Committee recommends denial of a waiver of the arrearages limit based on the excessive level of payments owing to both the city and the county.

Brendan Mehaffy made a motion to deny a waiver of the arrearages, seconded by Corporation Counsel Rodriguez and carried unanimously.

Waiver of Arrearages Limit Approval - 8 Calumet

Record owner of 8 Calumet has a current payment plan with arrearages. Owner is seeking a waiver of arrearages limit so that they can apply to the Emergency Program. Water bill arrearages totaling \$3,723, has a payment plan for the City's charges but with each payment of \$50, approximately \$30 is applied to the penalty fee so the arrearages continue to grow when the quarterly charges are applied. OSP policy provides that an application may be accepted from an owner who has a current payment plan with arrearages that total less than \$3,000. All other cases require LRC review. The Division of Housing Loan Review Committee recommends approval of a waiver of the arrearages limit based on the owner's documented consistent compliance with the payment plan over the long term.

Brendan Mehaffy made a motion to approve a waiver of the arrearages, seconded by Corporation Counsel Rodriguez and carried unanimously.

Waiver for One Year Ownership requirement - 26 Goethe

The owner of 26 Goethe transferred title of the property to the Catherine R. Schiske Living Trust in 1996. This form of ownership is not currently permitted under the OSP program guidelines and in November, 2011, Ms. Schiske transferred the property back to herself, individually. Because Ms. Schiske has not owned the property individually for one year, a waiver of the one-year ownership requirement is requested. The Division of Housing Loan Review Committee recommends approval a waiver of the one year ownership requirement.

Brendan Mehaffy made a motion to approve the waiver of the one year ownership requirement seconded by Corporation Counsel Rodriguez and carried unanimously.

Waiver for One Year Ownership requirement - 348 Humboldt

Record owner of 348 Humboldt is requesting a waiver of the one year ownership requirement so they can apply to the Emergency Program. When the weather turned cold, the owner called to request a waiver of the one year ownership requirement for emergency assistance to convert the furnace from oil to gas. The oil company has told her that the system is so inefficient that it would be better to use portable electric heaters until she can have the system upgraded. It is expected that the cost will exceed the Weatherization program limit when possible disposal of the oil tank is factored in all other program requirements will apply. The Division of Housing Loan Review Committee recommends approval of a waiver of the one year ownership requirement.

Brendan Mehaffy made a motion to approve the waiver of the one year ownership requirement seconded by Corporation Counsel Rodriguez and carried unanimously

25 Mendola – This item has been tabled because the Loan Review Committee requested additional information.

Waiver of One Year Ownership and Occupancy Requirement -204 Baitz

Record owners of 204 Baitz, are requesting a waiver of the one year ownership requirement so they can apply to the Emergency Program for them and their three children. Their household income is below 30% of the median. They purchased the home on November 2, 2011 and their water has been shut off because of a broken main water line. The school has called child protective services due to the lack of running water. The Division of Housing Loan Review Committee recommends approval off a waiver.

Janet Penksa made a motion to approve the waiver of the one year ownership and occupancy requirement seconded by Corporation Counsel Rodriguez, motion is approved by a vote of 2-1 (Brendan Mehaffy opposed).

Adjournment

Brendan Mehaffy made a motion to adjourn the meeting and reconvene on February 9, 2012, seconded by Corporation Counsel Rodriguez and carried unanimously.

**CITY OF BUFFALO URBAN RENEWAL AGENCY
LOAN COMMITTEE MEETING MINUTES**

February 9, 2012

Members Present

Brendan Mehaffy
David Rodriguez, Corporation Counsel

Staff Present

Yvonne McCray
Risë Geller

Adjournment

Brendan Mehaffy made a motion to adjourn the meeting and reconvene when Commissioner Penksa was available, seconded by Corporation Counsel Rodriguez and carried unanimously.

**CITY OF BUFFALO URBAN RENEWAL AGENCY
LOAN COMMITTEE MEETING MINUTES**

February 14, 2012

Members Present

Commissioner Janet Penksa
Brendan Mehaffy
David Rodriguez, Corporation Counsel

Staff Present

Scott C. Billman
Risë Geller

Loan Restructuring 31 Horton

Record owner of 31 Horton has requested a Loan Restructuring and would like to apply to the Emergency Program. Record owner is seeking forgiveness of the outstanding balance on her current loan and authorization to apply for the Emergency Roof Repair Program. Division of Housing Loan Review Committee recommends approval of forgiveness of the outstanding principal balance on the original loan based on her documented "extremely low income" (below 30% of the median) status in 1996. This action will allow her to apply to the Emergency Roofing program. All other program requirements apply.

Brendan Mehaffy made a motion to table this item, seconded by Corporation Counsel Rodriguez and carried unanimously.

Subordination Request 506 Shirley

Record owner has requested a Subordination to facilitate restructuring in lieu of foreclosure. In 2003, the owner, filed bankruptcy but did not include the property in the bankruptcy workout. She continued to pay her first mortgage and did not realize that the BNRC loan was not included in the bankruptcy plan. In 2005, M&T filed a Notice of Pendency of Action to foreclose, but did not follow through. It is not known if BNRC responded to the Pendency Notice at that time. In December, 2011, a second Notice of Pendency of Action to foreclose on the M&T mortgage was commenced, and Ms. Williams is now under consideration for restructuring contingent upon subordination of the BNRC loan to the restructuring agreement. Owner was current until 2003 when bankruptcy was filed. If the subordination is granted, she will begin payments to BNRC to settle the account. Division of Housing Loan Review Committee recommends subordination of the BNRC loan to facilitate restructuring of the first mortgage to avoid foreclosure. Yvonne McCray, second.

Commissioner Penksa made a motion made a motion to table this item, seconded by Corporation Counsel Rodriguez and carried unanimously.

Adjournment

Brendan Mehaffy made a motion to adjourn the meeting, seconded by Commissioner Penksa and carried unanimously.

Respectfully Submitted,

By: Risë Geller
Risë Geller

Approved,

By: Scott C. Billman
Scott C. Billman, Esq., General Counsel