

**City Of Buffalo Urban Renewal Agency
Loan Committee Meeting
Loan Committee Meeting Minutes for September 5, 2013**

1.0 Members Present

Brendan Mehaffy, Vice Chairman
Commissioner Donna Estrich
Council President Richard Fontana

Staff Present

Scott C. Billman
Yvonne McCray
Lynn Urbanski
Kevin Kaufman
Aubrey Hlavaty

Timothy Ball, Corporation Counsel - Excused

2.0 Mr. Mehaffy called the meeting to order at 9:30 am. Commissioner Estrich made the motion to waive the reading of the minutes from the July 3, 2013 meeting, and that they are accepted; seconded by Council President Richard Fontana and carried unanimously.

3.0 Housing Action Items

3a. 37 Oxford - Request for refund

Motion to remove this item off the table was made by Commissioner Estrich, seconded by Council President Fontana and carried unanimously.

Homeowner's income changed dramatically due to a job injury in 2008. Homeowner requested restructuring of the loan, which was granted. Homeowner is seeking funds to bring his loan current and pay other expenses. The lender, Quicken Loans requested a payoff statement and then proceeded to repay the entire outstanding balance, which included the \$15,377.45 deferred amount that was not due and payable if homeowner remained in the property for ten (10) years. This action by the lender increased his loan amount beyond what was needed. Homeowner is asking that BURA refund the overpayment of \$15,377.45 which would have been forgiven if the lender had not paid. Homeowner will then apply this amount to the principal of the new loan to reduce his overall obligations.

Council President Fontana made a motion to re-table this item in order to get more information on the Quicken loan. Seconded by Mr. Mehaffy and carried unanimously.

3b. 1081 West - Multiple Emergency Conditions request for funding

Homeowner is requesting a waiver to allow assistance for multiple emergency conditions, including roof replacement. An unstable rear canopy over open space will not support the weight of construction due to improper framing and could be reframed or demolished, chimney must be repointed or rebuilt as part of the roofing work; electrical panel must be replaced and the furnace does not work. Initial estimate for all work is approx. \$17,000. The Division of Housing Loan Review Committee recommends approving the funding to correct the emergency conditions.

Commissioner Estrich made a motion to approve the emergency multiple funding request conditional upon Housing Assistance, seconded by Mr. Mehaffy and carried unanimously.

3c. 779 Perry Street - Request for waiver of the arrearages limit

Lt. Col. Matt Urban Center has requested a waiver of the arrearages limit of \$3,000 to allow the homeowners to apply to the emergency roofing program. Property is listed on the In-Rem 47 foreclosure list for outstanding City of Buffalo User Fees owed in the amount of \$3,123.97. Erie County taxes have not been paid since 1997 and currently owe in the amount of \$3,579.91. On August 5, 2013 a payment plan was arranged regarding the current water bill balance

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\$3,435.55, with a down -payment of \$613.01 however, there is no record of this payment being applied at this time. Division of Housing Loan Review Committee recommends denial for the waiver of arrearages.

Mr. Mehaffy made a motion to deny the waiver of outstanding the arrearages limit, seconded by Commissioner Estrich and carried unanimously.

3d. 78 Fillmore - Request by the owner for permission to temporarily vacate HOME-assisted property

Homeowners have requested permission to temporarily vacate their home pursuant to a court order. Homeowner is required to stay at least 100 feet away from her neighbor who is under an order of protection. The order of protection is effective through October 29, 2013 and the family will return home at that time. In the interim, homeowners would like to rent the house to cover the expenses involved in their relocation. There is no regulatory obligation under the HOME funds that requires the family must reside in the home for a specified period; however BURA imposes an occupancy term to match the loan term. Division of Housing Loan Review Committee recommends permitting the owner's to vacate the home and rent the property until the end of October 29, 2013 when the order of protection expires, and to extend the required occupancy period for three months to compensate for this absence.

Council President Fontana made a motion to approve homeowners temporarily vacating their home with the extension of the residency period and deny permission to rent the property until October 29, 2013, seconded by Commissioner Estrich and carried unanimously.

3e. 278 Woodside Avenue - Request for Subordination of Move to Buffalo Mortgage

Subordination request from NewDay Financial on behalf of homeowner who is refinancing the mortgage balance of \$129,823.94 to lower the interest rate from 5.375% to 5.0%. The appraised value of his home is \$160,000 and the new mortgage loan amount is \$164,247.00 with a monthly payment of \$1,215.04 and by consolidating homeowner is saving \$497.00 per month. The settlement statement reflects cash back borrower totaling \$30,230. The BURA lien is due to expire and be forgiven on June 6, 2014. Division of Housing Loan Review Committee recommends approving the subordination of the BURA loan to the new loan as requested.

Council President Fontana made a motion to approve the Subordination Agreement, seconded by Commissioner Estrich and carried unanimously.

3f. 184 Hagen - Request for Early Discharge

3g. From the July 3, 2013 BURA Loan Committee Meeting

184 Hagen - Request for Early Discharge - Homeowner is relocating to another state to be near family who can assist the homeowner to raise six (6) children. Homeowner has paid the entire principal due, but there is still an outstanding deferred balance since homeowner is moving out of the house before the end of the BURA imposed occupancy term of ten (10) years. There will be no net proceeds of sale after the mortgage and costs associated with the sale are paid and homeowner is asking that the balance due be forgiven. Mr. Ball made a motion to approve the request for a discharge on the condition that any proceeds from the sale of the home are returned to BURA to pay in whole or in part the outstanding balance. Seconded by Commissioner Estrich and carried unanimously.

Disposition – This item was approved by the BURA Loan Review Committee on July 3, 2013 with the condition that any proceeds of sale are returned to BURA to pay all or part of the outstanding balance.

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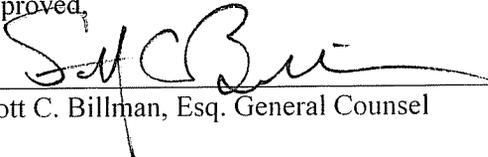
Old Business

207 Schuele - left tabled

4.0 Adjournment

Mr. Mehaffy made a motion to adjourn the meeting at 10:25 am, seconded by Commissioner Estrich and carried unanimously.

Approved,



Scott C. Billman, Esq. General Counsel