

MEMORANDUM

TO: Board of Directors, Buffalo Erie Niagara Land Improvement Corporation

FROM: Brendan Mehaffy, Chairperson

SUBJECT: **Resolution #2017-37** Revise RFF Forms (formerly SIR/MDR Forms) and Sample Resolution for Future RFF Process

DATE: July 20, 2017

DISCUSSION:

In an effort to make the Request for Foreclosure (RFF) process more intuitive and effective, BENLIC Staff have updated and proposed to replace the Standardized Inspectors Report (SIR) and Maintenance, Disposition, and Reuse Plan (MDR) forms. In lieu of a single form for all properties, a separate form for lots and for structures was created. The forms are referred to as the 'Structure Acquisition Application' and 'Vacant Lot Acquisition Application.' Some of the changes are inclusion of property's full market value, an option for periodic check-ins by the municipality, a check-box for buildable lot status, additional structural condition questions and check-box for judicial warrant access. The Vacant Lot Acquisition Application includes the commitment of the municipality to take title to lots which BENLIC is unable to dispose of within 12 months, and is willing to dispose.

In past RFF process, a "sample" resolution was provided to municipalities. The sample allows municipalities to simply add-in their requested properties. A new resolved clause action has been added to this year's sample resolutions that would commit municipalities to participate in the vacant lot twelve-month contingency agreement. Additionally, another resolved will substantiate further between BENLIC and the municipality that the latter task its emergency services with removal of any vehicles located on property BENLIC may acquire through the RFF process.

The BENLIC Real Estate Subcommittee reviewed and considered the changes to the forms and sample resolution and recommends the proposed changes.

ACTION:

The Board of Directors is hereby requested to approve the following resolution:

RESOLVED, that the BENLIC Board of Directors authorizes the replacing of the SIR/MDR form with the new Structure Acquisition Application and Vacant Lot Acquisition Applications; and be it further,

RESOLVED, that BENLIC Board of Directors authorizes the inclusion of the vacant lot contingency resolved clause, and resolved clause regarding undertaking of the municipality to remove any vehicles located on BENLIC-acquired RFF property, both to be included in sample resolution of the Request for Foreclosure package; and be it further,

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

RESOLVED, that BENLIC staff and BENLIC counsel are directed to revise the Corporation's Rule and Procedures consistent with this Resolution.