

MEMORANDUM

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

FROM: Scott Bylewski, Chairperson

SUBJECT: **Resolution #2025-9** Disposition of ARPA Infill Initiative Properties by Lottery

DATE: Process October 16th, 2025

DISCUSSION:

WHEREAS, the Buffalo Erie Niagara Land Improvement Corporation (“BENLIC”) has received American Rescue Plan Act – State and Local Fiscal Recovery Funds (“ARPA-SLFRF”) to construct fifty-two (52) single-family homes to be located at the addresses set forth on Schedule A attached hereto (the “Homes”) to be sold to income-eligible buyers, consistent with BENLIC’s mission to expand affordable housing opportunities and return properties to productive use; and

WHEREAS, the BENLIC Board of Directors has adopted Property Disposition Guidelines in accordance with the New York Land Bank Act and New York Public Authorities Law; and

WHEREAS, the Board of Directors desires to deviate from its Property Disposition Guidelines solely for disposition of the Homes, and to authorize disposition through a fixed-price lottery process (the “Lottery”) to ensure equitable buyer selection, avoid closing delays, and maintain compliance with ARPA program timelines; and

WHEREAS, each Home shall be sold at a fixed priced in accordance with BENLIC’s affordable-housing pricing methodology; and

WHEREAS, the Board recognizes that market conditions or programmatic requirements may justify limited price adjustments to preserve affordability and achieve timely sales;

NOW, THEREFORE, BE IT RESOLVED, that the BENLIC Board of Directors hereby approves disposition of the Homes to eligible purchasers selected through BENLIC’s fixed-price Lottery process, in accordance with the Lottery Guidelines attached hereto as Schedule A; and

BE IT FURTHER RESOLVED, that the Executive Director, as Contracting Officer, or their designee, is authorized to execute purchase contracts, closing documents, and all instruments necessary to effectuate such sales; and

BE IT FURTHER RESOLVED, that initial sale prices shall be established in accordance with BENLIC’s approved affordability methodology and as referenced in the attached Lottery Guidelines; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to reduce the sale price of any Home by an amount not to exceed fifteen percent (15%) of the initial fixed price, provided such adjustment is supported by appraisal or market data, or deemed necessary to ensure affordability, respond to market conditions, or facilitate closing; and

BE IT FURTHER RESOLVED, that any price adjustment shall be accompanied by written justification and reported to the Board as part of the Executive Director's regular updates; and

BE IT FURTHER RESOLVED, that BENLIC shall report buyer information, final sale prices, and comparative value data to the Board consistent with Public Authorities Law and applicable program requirements; and

BE IT FURTHER RESOLVED, that this authorization shall remain in effect until all fifty-two (52) Homes have been sold and conveyed, or until December 31, 2028, whichever occurs first, unless extended by subsequent Board action.