

Bi-monthly Enforcement Action Report
(Pursuant to New York City Administrative Code Section 22-824(a)(2))
June 1, 2022

Description of Enforcement Actions and Entities

The enclosed report (beginning on page 2) provides a description of enforcement actions and names of entities against which enforcement actions have been taken.

Number of Ongoing Projects Outstanding

As of May 26, 2022 there were 437 ongoing projects outstanding.

Percentage of Projects Subject to Enforcement Action

The percentage of projects with respect to which enforcement actions are being undertaken (6) as compared to the ongoing projects outstanding 437 is 1%.

Defaulted Projects Not Currently Subject to an Enforcement Action

The number of projects for which events of default under program agreements have taken place and which are not currently subject to enforcement action is 9.

Amounts Recovered through Enforcement Actions

Since April 1, 2022, the IDA recovered \$3,484,733.53 in enforcement actions.

#	Active Project Name	Default Category	Enforcement Action	Current Status
1	Bronx Parking Development Company, LLC (NYCIDA)	Payment Default (bonds)	Enforcement Action to be determined	The Project is in negotiations with representatives of the holders of the majority of bonds on the terms of a restructuring agreement.
2	La Scuola D'Italia-Guglielmo Marconi (BNYC)	The Project was not completed by the Project Completion Date and defaulted by the Bond Trustee	Bond Trustee issued Notice of Event of Default on 2/27/2017	Build NYC is working with the Bond Trustee and the Project to resolve outstanding issues.
3	Java Street Pier (NYCIDA)	The Project missed the Commencement Date	Enforcement Action to be determined	NYCIDA is working with the Project to resolve outstanding issue.
4	Seaview Senior Living Housing Development Fund Corporation (BNYC)	Payment Default	Bond Trustee issued Notice of Event of Default on 3/2/2017	Build NYC is working with Bond Trustee and the Project to resolve outstanding issues.
5	NBC Universal, Inc (NYCIDA)	Overuse of Sales Tax Benefit	Notice of Default issued 7/2/2020	NYCIDA is working with the Project to resolve outstanding issue.
6	Talmud Torah Ohel Yochanan & The Bnei Torah Trust (BNYC)	The Project failed to provide a proof of insurance coverage	Notice of Default issued 1/31/2022	Build NYC is working with the Bond Trustee and the Project to resolve outstanding issues.
7	Brooklyn Union Gas Company d/b/a National Grid NY (NYCIDA)	The Project was not completed by Project Completion Date	Enforcement action to be determined	NYCIDA is working with Company to resolve the outstanding issue
8	5 Bay Street Phase 1 LLC (NYCIDA)	The Project was not completed by Project Completion Date	Enforcement action to be determined	NYCIDA is working with Company to resolve the outstanding issue
9	Transcontinental Ultra Flex LLC (NYCIDA)	The Project was not completed by Project Completion Date	Enforcement action to be determined	NYCIDA is working with Company to resolve the outstanding issue
10	Art to Frames, Inc. (NYCIDA)	Project substantially changed the scope and nature of operations at the facility.	Enforcement action to be determined	NYCIDA is working with Company to resolve the outstanding issue
11	DMFYD LIC LLC (NYCIDA)	Failure to lease 80% of the total improvements usable square footage by the deadline.	Enforcement action to be determined	NYCIDA is working with Company to resolve the outstanding issue
12	C. Kenneth Imports (NYCIDA)	The Project was not completed by Project Completion Date	Enforcement action to be determined	NYCIDA is working with Company to resolve the outstanding issue
13	Center for Urban Community Services #2 (BNYC)	The Project was not completed by Project Completion Date	Enforcement action to be determined	Build NYC is working with Bond Trustee and the Project to resolve outstanding issues.

#	Terminated Project Name	Default Category	Enforcement Action	Current Status
1	Surprise Plastics, Inc. (NYCIDA)	Ceased Operations, Failed to Make PILOT Payment(s), Failed to Pay Annual Administrative Fee, Failed to Submit Proof of Insurance	NYCIDA issued Notice of Event of Default on 8/20/2010 and terminated project on 3/31/2014.	NYCIDA terminated PILOT, property placed back on tax rolls. Recapture of \$873,755.70 was collected at termination. As to the collection of the remaining recapture owed, the matter has been referred to the NYC Law Department; litigation commenced on 3/6/2015. A judgment was entered on 7/10/19. NYC Law Department is investigating enforcement.
2	Walsh Electrical Contracting, Inc. (NYCIDA)	Company failed to pay July 1, 2017 PILOT bill and ceased operations	NYCIDA issued Event of Default on 8/22/2017 and terminated project on 10/26/2017.	NYCIDA terminated PILOT, property placed back on tax rolls. The matter has been referred to NYC Law Department due to outstanding payment.