

**Bi-monthly Enforcement Action Report**  
**(Pursuant to New York City Administrative Code Section 22-824(2)(a))**  
**April 1, 2020**

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 March 31, 2020, there were 471 ongoing projects outstanding.

Percentage of Projects Subject to Enforcement Action

The percentage of projects with respect to which enforcement actions are being undertaken (10) as compared to the ongoing projects outstanding (471) is 2%.

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 an enforcement action is 13.

Amounts Recovered through Enforcement Actions

Since February 1, 2020, \$6,160.00 has been recovered through enforcement actions.

| # | Active Project Name                        | Default Category   | Enforcement Action  | Current Status   |
|---|--|--|---|--|
| 1 | Bronx Parking Development Company, LLC     | Payment Default  | Enforcement Action to be determined                         | The Company is in negotiations with representatives of the holders of the majority of bonds on the terms of a restructuring agreement. |
| 2 | Magen David Yeshivah                       | Payment Default  | Bond Trustee issued Notice of Event of Default on 4/30/2010 | Institution and bondholders are discussing a workout.  |
| 3 | La Scuola D'Italia-Guglielmo Marconi       | Project was not completed by 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 Institution to resolve outstanding issues.  |
| 4 | Cubit Power One, Inc                       | Project was not completed by Project Completion Date                                   | Enforcement Action to be determined                         | NYCIDA is working with Company to resolve outstanding issue.   |
| 5 | Gotham Seafood Corp.                       | Project was not completed by Project Completion Date                                   | Enforcement Action to be determined                         | NYCIDA is working with Company to resolve outstanding issue.   |
| 6 | Port Morris Tile & Marble, Corp. #1 (1998) | Project has not submitted required reporting documents and failure to pay PILOT        | Agency Issued Notice of Default on 10/3/2018 & 1/20/2020    | NYCIDA is working with Company to resolve outstanding issue.   |

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|----|--|--|---|---|
| 7  | Java Street Pier   | Project missed Commencement Date and was not completed by Project Completion Date      | Enforcement Action to be determined   | NYCIDA is working with Company to resolve outstanding issue.                          |
| 8  | Carlton House Restoration, Inc                             | Project was not completed by Project Completion Date                                   | Enforcement Action to be determined   | NYCIDA is working with Company to resolve outstanding issue.                          |
| 9  | Congregation Machna Shalva #2                              | Violations listed in Undertaking Letter not resolved by the deadline of August 1, 2019 | Enforcement Action to be determined   | BUILDNYC is working with Company to resolve outstanding issue.                        |
| 10 | A. Liss & Co., Inc   | Project Company sold it's Operating Company without prior consent from the NYCIDA      | Enforcement Action to be determined   | NYCIDA is working with Company to resolve outstanding issue.                          |
| 11 | Seaview Senior Living Housing Development Fund Corporation | Payment Default  | Bond Trustee issued Notice of Event of Default on 3/2/2017                                  | Build NYC is working with Bond Trustee and Institution to resolve outstanding issues. |
| 12 | Fedcap Rehabilitation Services, Inc. #2                    | Project missed Commencement Date and was not completed by Project Completion Date      | Enforcement Action to be determined since they have frozen all expenditures due to COVID-19 | NYCIDA is working with Company to resolve outstanding issue.                          |

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| 13 | Fairway Bakery LLC         | Project filed for Bankruptcy and Facility was sold via auction            | Enforcement Action to be determined as we work with NYC Law Dept | NYCIDA is working with Company to resolve outstanding issue. |
| 14 | A. Liss & Co., Inc.        | Project sold its Operating Company without prior consent from the NYCIDA. | Enforcement Action to be determined                              | NYCIDA is working with Company to resolve outstanding issue. |
| 15 | Brooklyn Union Gas Company | Project was not completed by Project Completion Deadline                  | Enforcement action to be determined                              | NYCIDA is working with Company to resolve outstanding issue. |
| 16 | Marathon Energy Corp.      | Project was not completed by Project Completion Date                      | Enforcement action to be determined                              | NYCIDA is working with Company to resolve outstanding issue. |
| 17 | St.George Outlet           | Project was not completed by Project Completion Deadline                  | Enforcement action to be determined                              | NYCIDA is working with Company to resolve outstanding issue. |

| # | Terminated Project Name                    | Default Category   | Enforcement Action   | Current Status  |
|---|--|--|--|---|
| 1 | Glendale Architectural Wood Products, Inc. | Failed to Make PILOT Payment(s), Sold Project Facility   | NYCIDA Issued Notice of Default on 9/10/2014 and terminated project on 6/16/2015. Notice of Demand Issued on 2/2/2018. | NYCIDA terminated PILOT, property placed back on tax rolls. Company owes outstanding payment. Notice of Demand Issued on 2/2/2018.  |
| 2 | Surprise Plastics, Inc.                    | 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. |
| 3 | Walsh Electrical Contracting, Inc.         | 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.  |

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| 4 | Time, Inc                     | Project owes recapture due to reductions in employment   | Recapture Payment Demand Notice sent to Company on 2/9/2014, 12/15/2015, & 8/9/2019          | Project terminated on 3/15/2010. Recapture Payment Demand Notice sent to Company on 2/9/2014. On 12/15/2015 an updated Recapture Payment Demand Notice was sent to Company. Recapture request to initiate litigation was sent to NYC Law Department on 4/28/2016. Currently working with NYC Law Dept. to send updated demand letters with recalculations to the Company. An updated demand letter was sent on 8/9/2019. |
| 5 | Ample Hills Holding, Inc.     | The project overused its Sales Tax exemption and failed to remit payment to NYCIDA               | NYCIDA has sent the project three repayment letters 4/9/19, 5/29/19 and 7/1/19.              | The matter has been forwarded to the New York State Department of Taxation and Finance.  |
| 6 | Smith Electric Vehicles Corp. | Failed to Make PILOT Payment(s), Failed to Complete Project, Failed to Submit Proof of Insurance | NYCIDA Issued a Notice of Event of Default on 2/12/2014 and terminated project on 2/17/2015. | NYCIDA terminated PILOT, property placed back on tax rolls. The matter has been referred to the NYC Law Department. Litigation commenced on 10/31/2016. Default Judgment received on 7/11/2018. NYC Law Department is currently reviewing collection.  |