

## Chapter 5: Historic Preservation Grant Program

### § 5-01 Introduction.

The Historic Preservation Grant Program provides grants to eligible nonprofit organizations and homeowners for the preservation of designated landmark properties through restoration, repair and rehabilitation work. All grants must meet the guidelines laid out for historic preservation activities under the federal Community Block Grant program regulations. 24 C.F.R. § 570.202(d).

Application forms and fact sheets for the Historic Preservation Grant Program may be obtained from the Commission's website or by contacting the Commission's Director of the Historic Preservation Grant Program.

(Amended City Record 12/20/2018, eff. 1/19/2019)

### § 5-02 General Eligibility Requirements.

In addition to any applicable federal regulations regarding the Community Block Grant Program, grant applicants must also meet the following criteria:

(a) *Eligible Structures.* Structures which are designated or calendared individual landmarks, are located in designated historic districts, or contain Interior Landmarks. Eligible structures may also include those improvements located in New York City that are listed or eligible for listing on the National Register.

(b) *Eligible Repairs.* Grants may be made for the following work:

- (1) To repair and restore exterior features of an eligible structure;
- (2) To address structural damage or severe deterioration that threatens to undermine the integrity of an eligible structure;
- (3) To repair and restore eligible interiors;
- (4) To make alterations which will protect the landmark from physical damage, including the installation of appropriate flood barriers; and
- (5) To make alterations that will make the landmark more energy efficient.

(c) *Ownership/Occupancy.*

(1) *Homeowners.* Owners of eligible residential properties may receive grant funds if the owner and/or occupants meet § 8 income limits as they appear in the Federal Community Block Grant Program regulations. 24 C.F.R. § 570.208(a)(2)(i)(B) and (C).

(2) *Nonprofit organizations.*

(i) Nonprofit organizations applying for grant funds must either own or hold a long term lease on the property for which funds are sought.

(ii) To be eligible for consideration as a non-profit organization, the applicant must be a charitable, cultural, educational, scientific, literary, or other entity organized under § 501(c)(3) of the Internal Revenue Code.

(d) *Grant Beneficiaries.* All grant-funded work must (1) principally benefit low and moderate income persons or (2) address slum and blight conditions as set forth in and defined under the federal Community Block Grant Program regulations. 24 C.F.R. § 570.208.

(Amended City Record 12/20/2018, eff. 1/19/2019)

### § 5-03 Selection Board and Criteria

(a) Grant applications will be evaluated and funds will be awarded by a board composed of the director of the Historic Preservation Grant Program and other staff members of the Landmarks Preservation Commission as the Chair shall in his or her discretion appoint.

(b) In awarding grants, the Historic Preservation Grant Program board will give preference to properties designated or calendared by the Landmarks Preservation Commission and will consider the following factors, among others:

- (1) The architectural and historical importance of the building;
- (2) The condition of the building and the degree to which the proposed work will materially address the building's condition;
- (3) The applicant's financial resources;
- (4) Whether the applicant is proposing to use other funds along with the grant to pay for the proposed work; and
- (5) The effect the grant will have on improving the building and/or the district.

(Amended City Record 12/20/2018, eff. 1/19/2019)

### § 5-04 Application Materials.

In addition to any other material required by LPC Staff, the following documents, as applicable, must be submitted in support of an application for a grant:

(a) *Individuals.* An applicant who is an individual, or is comprised of multiple individuals, must submit for each individual, as applicable, the following documents:

(1) Signed current federal tax forms, or, if no tax return was required to be filed, a signed statement with an explanation. If income has changed substantially, the applicant must submit relevant tax forms for the last three (3) years;

(2) W-2 Forms and Schedules A, B, C, D, and E filed with each 1040 Tax Form;

(3) A signed list of all properties owned and related rent receipts in lieu of Schedule E;

(4) Pension receipts;

(5) Notification of Social Security, disability or other benefits;

(6) Records of all other income or distributions;

(7) List of sources of funding for restoration project; and

- (8) The property deed in the name(s) of the applicant(s).
- (b) *Non-Profit Entity*. An applicant that is a nonprofit organization must submit the following documentation:
- (1) A copy of the articles of incorporation and confirmation from the Internal Revenue Service of its non-profit status; and
  - (2) the property deed or long-term lease in the name of the applicant.
- (c) *Conditions*. In addition to any other condition required or imposed by law or rule, the following conditions apply to every grant:
- (1) The grant pays for specific work items;
  - (2) Work cannot begin until:
    - (i) LPC Staff and the grant recipient sign a contract;
    - (ii) Re-sale and insurance clauses of the contract have been satisfied;
    - (iii) LPC issues approval(s) for the work; and
    - (iv) LPC Staff notifies the contractor that work can begin;
  - (3) Except under unusual circumstances, at least three (3) competitive bids must be obtained for proposed work; bids will be solicited by the LPC Staff and work must be approved by the Commission before funds are disbursed to the contractor;
  - (4) Depending on the scope of work, the property may be inspected for the presence of lead-based paint. If lead-based paint hazards are found, the grant recipient will be responsible for the remediation of those hazards pursuant to City and/or Federal law;
  - (5) Preference is given to extremely low-, low-, and moderate-income owners that use other funds along with the grant to restore the facade of their building;
  - (6) Grantees cannot have unpaid real estate taxes or water or sewer charges; and
  - (7) If there are Landmarks Preservation Commission or Department of Buildings violations on an otherwise eligible property, the presence of such violations, the nature of the violations and any plans to address the violations, will be considered.
  - (8) Occupancy requirement/resale restriction:
    - (i) The grant recipient must continuously occupy at least one Unit on the property that is the subject of the grant as his or her primary residence, for a period of five (5) years from the date of final payment to the contractor for the work performed pursuant to the grant.
    - (ii) If the grant recipient transfers the property within such five-year period, the grant recipient must return to the Landmarks Preservation Commission the grant on a pro-rated basis as follows: one hundred (100) percent of the grant if the property is transferred during the first year after final payment; eighty (80) percent if transferred during the second year; sixty (60) percent if transferred during the third year; forty (40) percent if transferred during the fourth year; and twenty (20) percent if transferred during the fifth year after the final payment.

(Added City Record 12/20/2018, eff. 1/19/2019)