

**Applicant Name**

## **Round 3**

# **NEW YORK STATE LAND BANK PROGRAM**

**Empire State Development (ESD)**

## **APPLICATION**

**Applications for Round III can be submitted starting on  
MAY 1, 2013.**

## Land Bank Program Information

New York State's Land Bank Program was established with enactment of Article 16 of the New York State Not-for-Profit Corporation Law (the "Act"). Pursuant to the provisions of the Act, governmental entities that possess the power to foreclose on tax liens are permitted to create a not-for-profit corporation whose purpose is to facilitate the return of vacant, abandoned, and tax delinquent properties to productive use. Pursuant to Section 1603 of the Act, the creation of a land bank is conditioned upon approval of the New York State Urban Development Corporation d/b/a Empire State Development ("ESD"). The Act further limits the number of land banks permitted to be created in the state to ten.

The application and review process for ESD approval of land bank applications can be found in the ESD Land Bank Approval Guidelines which can be accessed on ESD's website at:  
<http://www.esd.ny.gov/BusinessPrograms/Data/LandBankProgram/112111LandBankProgramGuidelines.pdf>

Prior to completion and submission of this application, applicants are strongly encouraged to review the Program Guidelines and the provisions of the Act which can be found on the New York State Legislature's website at:  
<http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLNPC0A16+&LIST=LAW+&BROWSER=EXPLORER+&TOKEN=15473598+&TARGET=VIEW>

Applications must be submitted to the appropriate ESD Regional Office as identified in the Guidelines in order to be considered. ESD shall also accept applications electronically submitted in .PDF format that are emailed to [NYLandbank@esd.ny.gov](mailto:NYLandbank@esd.ny.gov).

In the first two rounds of submissions, ESD approved eight applications. Round 3 applications will be accepted starting May 1, 2013 and will be reviewed and considered for approval as they are received by ESD. Once a total of ten applications are approved, ESD will no longer accept applications.

## Part 1 – Application Checklist and Certification

Applicant Name			
Requirements	Yes	No	N/A
1) Certification signed by municipal official?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Applicant is a Foreclosing Government Entity (FGU”) as defined pursuant to Section 1602(c) of the NYS Not-for-Profit Corporation Law?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Applicant has adopted a local law, ordinance or resolution for creation of a land bank?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) The local law, ordinance or resolution includes the following:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
a) the name of the land bank?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) the number of members of the Board of Directors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) the initial individuals to serve as members of the board of directors and the length of terms for which they are to serve?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) if two or more FGUs and/or municipalities agree to the creation of a single land bank, authorizes execution of an intergovernmental agreement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Required attachments are included:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
a) copies of the local law(s), ordinance(s) and/or resolution(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) copies of all intergovernmental agreements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) copy of the proposed certificate of incorporation and proposed by-laws of the land bank	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) copy of the proposed non-discrimination and affirmative action policy of the land bank	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Certification:** The undersigned solemnly affirms that to the best of my knowledge, information and belief, the application is complete and that all statements and information submitted in connection herewith are true and accurate.

Municipal Official Signature		
Type Name		
Title		Date



**Part 3 – General Information - Use additional pages if necessary**

Applicant Name

**Part 3 –A: General information**

1. Describe the overall goals, mission and focus of the land bank.

2. Describe the nature and extent of the intergovernmental cooperation for the proposed land bank.

3. Explain why a land bank is needed in the jurisdictions in which the land bank will operate?

4. Describe the measurable results and economic impact the applicant expects to achieve through the operation of the land bank.

5. When is the land bank expected to begin operating? Include in this response the expected time line for when the land bank is expected to be created, when it is expected to begin operating, when it is expected it will acquire its first property and any other expected milestones.

**Part 3 – General Information - Use additional pages if necessary**

Applicant Name

**Part 3 –B: Property information**

1. Describe the nature and extent of the inventory of vacant, abandoned and tax delinquent properties in the geographic area in which the land bank will operate.

2. Describe how the land bank will acquire property?

3. Describe the expected inventory of property that will be acquired by the land bank.

4. Describe how the land bank will dispose of property. Include any priorities for use of real property disposed of by the land bank.

5. Describe the geographic area in which the land bank will operate. Include whether the area is primarily urban, suburban, or rural.

**Part 3 – General Information** - Use additional pages if necessary

Applicant Name

**Part 3 –C: Land bank organization and financing**

1. Describe in detail how the land bank’s activities will be funded. Include a description of all financial resources to be made available to the land bank, including any in-kind contributions.

2. Explain how the land bank will be staffed.

3. Describe the nature and extent of the authorization for sharing of future property tax revenues?

## **Part 4 – Required Attachments**

Attach copies of the documents listed below.

1. Copies of the local law(s), ordinance(s) and/or resolution(s) for creation of the land bank.
2. Copies of all intergovernmental agreements, if applicable.
3. A copy of the proposed certificate of incorporation and proposed by-laws of the land bank.\*
4. A copy of the proposed non-discrimination and affirmative action policy of the land bank that at a minimum, shall state that the land bank shall not discriminate upon the basis of race, creed, color, sex or national origin and that any transferee or purchaser of land bank property and every successor in interest in such property shall not discriminate upon the basis of race, creed, color, sex or national origin in the sale, lease or rental, or in the use or occupancy of the property or improvements erected or to be erected thereon or any part thereof. \*

\* As the Act prohibit land banks from being formed until approval of ESD, copies of these items are to be supplied in draft form. ESD understands that the proposed documents that are adopted by the land bank may differ from what is provided with this application.

**All documents MUST be included with the application.**

ESD at its sole discretion, reserves the right to accept minor amendments and additions to this application.

**Address all questions to**

**Stephen Gawlik – Senior Counsel**  
**(716)846-8257**  
[sgawlik@esd.ny.gov](mailto:sgawlik@esd.ny.gov)

**Or contact the ESD Regional Office in your area.**  
**Phone numbers can be found in the Guidelines Section VII.**