

AN ACT

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District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide for tax exemptions for the St. Martin’s Apartments development project located in Lot 116, Square 3531.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “St. Martin’s Apartments Tax Exemption Act of 2008”.

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designation “47-4619. St. Martin’s Apartments project tax exemptions.”.

(b) A new section 47-4619 is added to read as follows:

“§ 47-4619. St. Martin’s Apartments project tax exemptions.

“(a) For the purposes of this section, the term:

“(1) “Affordable rental housing project” means a housing development in which units are rented to households with not more than 60% of area median income (adjusted for household size) as such amount of area median income is determined by the United States Department of Housing and Urban Development when they qualify for admission and for a rent not to exceed the rent ceiling for each unit size, as determined by the District of Columbia Housing Finance Agency in accordance with the Federal Low Income Housing Tax Credit regulations.

“(2) “Developer Owner” means St. Martin’s Apartments, LP, and its successors, affiliates, and assigns.

“(3) “Developer Sponsor” means C.C.S. Housing, Inc., its successors, affiliates, and assigns.

“(4) “St. Martin’s Apartments project” means the acquisition, rehabilitation, and equipping, including the financing, refinancing, or reimbursing of costs incurred, of an affordable housing project located on the land in St. Martin’s Parish located on Lot 116, Square

New
§ 47-4619

3531 and leased from the Roman Catholic Archdiocese of Washington or Roman Catholic Archbishop of Washington property, consisting of:

“(A) A building containing 178 units of rental housing on the St. Martin’s Apartments property; and

“(B) Other ancillary improvements, including the parking facility included within the building and any cellular tower or cellular equipment on or in the building.

“(5) “St. Martin’s Apartments property” means the real property, including any improvements thereon, located on Lot 116, Square 3531.

“(b) The following conveyances with respect to the St. Martin’s Apartments project or property shall be exempt from the tax imposed by §§ 42-1103 and 47-903:

“(1) Any conveyances to the Developer Sponsor; and

“(2) Any conveyances from the Developer Sponsor to an entity that operates the St. Martin’s Apartments project or property as an affordable rental housing project.

“(c) The St. Martin’s Apartments property shall be exempt from all property tax so long as the property is operated as an affordable rental housing project, subject to the provisions of § 47-1005, 47-1007, and 47-1009 as if the exemption were granted administratively.

“(d) The St. Martin’s Apartments project and the St. Martin’s Apartments property shall be exempt from any public space permit fees imposed by § 47-2718.

“(e) The exemptions pursuant to subsections (c) and (d) of this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the St. Martin’s Apartments project or the St. Martin’s Apartments property.

“(f) This section shall not prevent or restrict the Developer Sponsor or Developer Owner from utilizing any other tax, development, or other economic incentives available to the St. Martin’s Apartments project or the St. Martin’s Apartments property.”.

Sec. 3. Applicability; refund.

This act shall apply, upon the inclusion of its fiscal effect in an approved budget and financial plan, as of August 4, 2008; provided, that if St. Martin’s Apartments, LP has paid any of the fees or taxes referred to in section 2, the fees or taxes shall be refunded.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia