

April 16, 2019

Memo to EIC Members: *Energize NY Open C-PACE*

As discussed at the EIC Annual Meeting last month, we are pleased to launch our new PACE product, *Open C-PACE*, which removes all municipal obligations from the provision of the public benefit of PACE. Open C-PACE differs from our previous product in the following ways:

- EIC will bill the property owner directly and administer collection of the payment; the municipality will not add a charge to the property's tax bill.
- The municipality is no longer responsible for guaranteeing the loan payment.
- Funds are provided through EIC-approved capital providers, [listed](#) on EIC's website. Property owners will contact the providers directly, who will determine if and how much financing is provided.
- Financing is secured through a Benefit Assessment Lien which EIC will record on the land records of the benefited property. The Benefit Assessment Lien is subordinate to municipal taxes and senior to all other liens (consent from existing mortgage holders is required).
- The capital provider enforces delinquent PACE liens by following the same timeline of foreclosure governing delinquent municipal taxes and only after paying any taxes owed by the property owner to the municipality.

Commercial, multifamily, and nonprofit property owners will benefit from lower fees, more competitive interest rates, financing terms as long as 30 years and transferability if the property is sold.

Enclosed you will find the Local Law and Municipal Agreement Templates that are required to enable Open C-PACE. These may not be modified as EIC's other program documents reference the local law and must be consistent across all municipalities.

We are excited by the potential of Open C-PACE to bring an infusion of capital for improvements to the building stock and to drive larger and more impactful projects in your communities. Given the interest we are seeing from property owners, we are hopeful for rapid adoption of Open C-PACE. Please let us know when you will advance the legislation.

Sincerely,

Mark Thielking
Co-Executive Director

Sarah Smiley
Director of Member Services