

Gary Rosen Law Firm, P.A.
Attorneys at Law

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_____, 2008

RETAINER AGREEMENT

Project Location: _____

Block: _____, **Lot:** _____

Borough: _____

Project Developer: _____

Address of Developer: _____

RE: PROPOSED 421-a TAX ABATEMENT APPLICATION

1. The attorney in this matter is Gary Rosen Law Firm, P.A. hereinafter referred to as "Attorney," whose office address is 249-02 Jericho Turnpike, Floral Park, New York 11001.

2. The client in this matter is _____, hereinafter referred to as "Client," whose address is:

3. The nature of the services to be rendered by the Attorney to the Client is as follows:
PREPARATION OF APPLICATION AND FILING OF SAID APPLICATION FOR 421-A TAX ABATEMENT BENEFITS WITH THE NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT.

4. Client agrees to pay Attorney a flat fee of

421-A for Four (4) Family Homes: \$2,500 per building;

421-A for Five (5) to Eight (8) Family Homes: \$3,500

421-A for over Eight (8) Family Homes: contact us for pricing

421-A for buildings or Condominium Projects up to 20 units: (special discount rates if Gary Rosen Law Firm, P.A. prepares the condominium offering plan) \$7,500

421-A for buildings or Condominium Projects 21 to 50 units, (special discount rates if Gary Rosen Law Firm, P.A. prepares the condominium offering plan) \$10,000

\$_____ for preparation of the application and for filing each application with the New York City Department of Housing Preservation and Development. Client will pay all application fees due to the City of New York and will pay attorney for any overnight mail charges for submission of documents to the City of New York. Client will provide all documents as required by the New York City Department of Housing Preservation and Development. Client's architect to provide necessary documents required for filing at sole cost to client.

5. Client will be billed for the following out-of-pocket disbursements for which Client must reimburse the Attorney: Copying, printing and overnight mail. Reimbursements to be paid to Attorney within ten days of receipt of bill or invoice by client.

6. ATTORNEY DOES NOT GUARANTY TO CLIENT OR TO ANY OTHER PARTY THE GRANTING OF ANY TAX ABATEMENT OR BENEFITS BY THE CITY OF NEW YORK, WHICH BENEFITS ARE GRANTED SOLELY BY THE CITY OF NEW YORK. We do not guaranty the acceptance or approval of the granting of any benefits for tax abatements.

7. Client understand and agrees that Client will not, nor will Client's architect obtain a temporary or final certificate of occupancy for the project or any part thereof, until Attorney has stated in writing to the Client that a Certificate of Occupancy may be obtained.

8. Certain projects are located in a Geographical Exclusion Zone which has special requirements for eligibility. Client agrees that if their project is in a Geographical Exclusion Zone, certain conditions apply including that certain units will have to be reserved for affordable housing or the project will not qualify for 421-a benefits.

9. Client acknowledges that he has carefully read this agreement prior to signing and states that he understands his rights and obligations.

GARY ROSEN, ESQ.
ATTORNEY

Retainer Accepted

BY: _____
NAME:
TITLE:

Dated: _____

ITEM CHECKLIST
TO FILE FOR
A 421-A TAX ABATEMENT

(Items to be furnished by Client (furnish as many of the items that you have available))

- [] BANK CHECK for the filing fee in the sum of \$100.00 payable to NYC Department of HPD;
- [] Construction Cost estimate;
- [] Estimated Total Development Costs;
- [] Closing Statement for Land Acquisition Costs;
- [] Deed;
- [] Projected Rental Schedule – (NOT IF A CONDO)
- [] Projected Maintenance and Operational Expenses – (NOT IF A CONDO)
- [] Copy of PW 2 – Building Dept. - New Building Application;
- [] Copy of New Building Permit – initial permit
- [] Survey before construction
- [] Tax Map (can be found in your title report);
- [] RP-604 - Request to Department of Finance, Surveyors Office for Tentative Lot Numbers (if to be more than one lot)
- [] TWO (2) Complete Set of Plans approved by the New York City Department of Buildings Approved Plans;
- [] Condominium Offering Plan (if Condo)

WARNING: DO NOT OBTAIN A CERTIFICATE OF OCCUPANCY UNTIL WE CONFIRM IN WRITING THAT THE 421-A HAS BEEN FILED WITH THE CITY OF NEW YORK. FINAL APPLICATION MUST BE FILED WITHIN 90 DAYS FROM THE ISSUANCE OF A TEMPORARY C.O. OR FINAL C.O., WHICHEVER IS ISSUED FIRST. YOU MUST IMMEDIATELY SEND C.O. TO US WHEN ISSUED.