

4 **A RESOLUTION CONCERNING Non-compliance for**  
5 **failure to file and/or failure to file in a timely manner**  
6 **form filings for 2025 for properties with approved**  
7 **“Economic Revitalization Areas” under I.C. 6-1.1-12.1**

8 **WHEREAS**, Common Council has previously designated and declared by  
9 Declaratory Resolution and Confirming Resolution with approved Statement of Benefits  
10 (SB-1) forms property for the following property owners as “Economic Revitalization  
11 Areas” under Sections 153.13-153.24 of the Fort Wayne Code of Ordinances, and I.C. 6-  
12 1.1-12.1; and

13 **WHEREAS**, property owners whose Statement of Benefits (SB-1) form was  
14 approved after July 1, 1991 who file a deduction application under Sections 3 and 4.5 of  
15 I.C. 6-1.1-12.1 and Section 153.21 of the Fort Wayne Code of Ordinances, Indiana, must  
16 file a Compliance with Statement of Benefits Form (CF-1/PP and/or CF-1/Real Property)  
17 and other form filings with the Allen County Auditor, the Allen County Assessor and the  
18 City of Fort Wayne showing there has been compliance with the approved Statement of  
19 Benefits for the project; and

20 **WHEREAS**, Common Council designated the City of Fort Wayne Community  
21 Development Division as the entity for the administration, application, processing and  
22 monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code  
23 of the City of Fort Wayne; and

24 **WHEREAS**, property owners on the attached Exhibit B have failed to comply with  
25 I.C. 6-1.1-12.1 et seq. and Section 153.21(A) of the Fort Wayne Code of Ordinances by  
26 failing to file their Compliance with Statement of Benefits and other form filings pertaining  
27 to their deduction in a timely manner; and

28 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**  
29 **CITY OF FORT WAYNE, INDIANA:**

30 **SECTION 1.** That the property owners listed in Exhibit B in approved Economic  
Revitalization areas have failed to comply with I.C. 6-1.1-12-.1, *et. seq.* and Section  
153.21 of the Fort Wayne Code of Ordinances by failing to file their Compliance with  
Statement of Benefits forms (CF-1/PP and/or CF-1/Real Property) and other form filings  
by May 15, 2025. Therefore, subject to the rights of said property owners to be heard

1 again by Council pursuant to I.C. 6-1.1-12.1-5.9 as specified in Section 3 of this  
2 Resolution, Common Council finds that all of those property owners listed on Exhibit 2  
3 have failed to substantially comply as a result of their failure to file Compliance with  
4 Statement of Benefits forms and other form filings. Council further directs those property  
5 owners listed on Exhibit 2 to apply for and file a Waiver of Non-Compliance pursuant to  
6 either I.C. 6-1.1-12.1-9.5 or I.C. 6-1.1-12.1-11.3(a)(5) as may be applicable, and request  
7 a waiver by Common Council, for said non-compliance, which request and resolutions  
8 and forms shall be submitted to Common Council prior to the subsequent hearing that will  
9 be afforded property owners listed on Exhibit 2 as set forth in Section 3 of this Resolution.

10 **SECTION 2.** Nothing contained in this Resolution shall be construed by any  
11 property owners to mean that a subsequently filed Waiver of Non-Compliance,  
12 subsequently filed Compliance with Statement of Benefit form or subsequent filing of any  
13 nature, will be approved by Common Council, but only that Common Council will consider  
14 approval of such Waiver of Non-Compliance filing or other corrective filing, if properly and  
15 timely filed. Further, all property owners listed on Exhibit 2 to this Resolution may have  
16 their abatement rescinded as a result of non-compliance by resolution of Common Council  
17 at the hearing referenced in Section 3 of this resolution.

18 **SECTION 3.** That, Common Council, pursuant to I.C. 6-1.1-12.1-5.9, will mail a  
19 written notice to the property owners listed on Exhibit 2, and such notice shall state the  
20 reasons for Council's determination and a date, time and place of the hearing for the  
21 purpose of further consideration of each owner's circumstances for its failure to file, or file  
22 timely its Compliance with Statement of Benefits Forms (CF-1/PP and/or CF-1/Real  
23 Property) or for other substantial non-compliance. Common Council does hereby direct  
24 Fort Wayne Community Development Division to prepare and send the aforementioned  
25 notices.

26 **SECTION 4.** That, this Resolution shall be in full force and effect from and after  
27 its passage and any and all necessary approval by the Mayor.

28   
29 \_\_\_\_\_  
30 Member of Council

APPROVED AS TO FORM A LEGALITY

31   
32 \_\_\_\_\_  
33 Malak Heiny, City Attorney

EXHIBIT B

2025 NON-COMPLIANT FOR LATE/NON-FILING OF DOCUMENTS

CF-1RE	CF-1PP	COMPANY	RES #	TYPE	DESIGNATION ADDRESS
5/15/2025	No 322RE	HI Clinic VP, LLC/House Investments	R-18-24	R	2020 McKinnie Avenue

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**TITLE OF ORDINANCE: A Resolution concerning non-compliance for failure to file and/or failure to file in a timely manner form filings for 2025 for properties with approved “Economic Revitalization Areas” under I.C. 6-1.1-12.1**

**DEPARTMENT REQUESTING ORDINANCE: Community Development Division**

**SYNOPSIS OF ORDINANCE: This resolution determines those entities listed in Exhibit B as non-compliant for failure to file and/or failure to file in a timely manner form filings for 2025 for properties with an approved economic revitalization area under City of Fort Wayne Code and State of Indiana Code.**

**EFFECT OF PASSAGE: Following approval of this resolution, as per City of Fort Wayne Code and Indiana Code, a required hearing will be scheduled for each entity listed to hear cause for the non-compliance and determine if the tax phase-in shall continue or be terminated.**

**EFFECT OF NON-PASSAGE: Potential retention or loss of economic revitalization area deduction (property tax phase-in).**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.**

**ASSIGNED TO COMMITTEE (CHAIR & CO-CHAIR): Geoff Paddock and Nathan Hartman**

**BILL NO. R-25-06-11**

**REPORT OF COMMITTEE ON FINANCE**

**June 17, 2025**

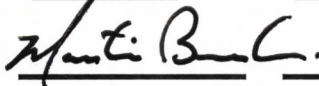
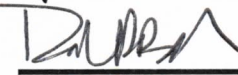




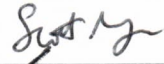
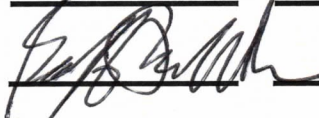
**Geoff Paddock Chair**

**Nathan Hartman Co-Chair**

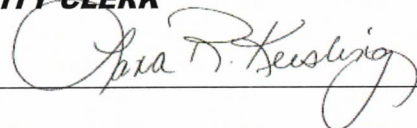
**All Council Members**

A Resolution concerning Non-Compliance for failure to file and/or failure to file in a timely manner form filings for 2025 for properties with approved "Economic Revitalization Areas" under I.C. 6-1.1-12.1

COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A


Read the first time in full and on motion by Councilperson Paddock.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilperson Paddock, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: June 24, 2025

  
\_\_\_\_\_  
LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-25-06-11 on the 24th day of June, 2025

ATTEST:

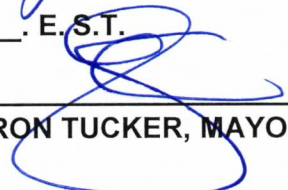
  
\_\_\_\_\_  
LANA R. KEESLING  
CITY CLERK

  
\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th of June 2025, at the hour of 9:35 o'clock A.M. E.S.T.

  
\_\_\_\_\_  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 25th day of June 2025, at the hour of 4:38 o'clock p.m. E.S.T.

  
\_\_\_\_\_  
SHARON TUCKER, MAYOR