

Downtown Worcester Business Improvement District
Hardship Provision

The provisions for the waiver or adjustment of Business Improvement District fees, as included in the Petition to Establish the Downtown Worcester Business Improvement District are as follows:

The Downtown Worcester Business Improvement District may waive or reduce the annual District fee for any member for whom the imposition of such a fee would create a significant financial hardship.

Applications for waivers will be available at the BID office. The BID may request additional or sufficient information from the member to evaluate the claimed hardship. A committee designated by the Board of Directors (such as the Finance committee), will review all waiver requests and make recommendations to the BID Board of Directors for action. A member not satisfied with the initial decision on the waiver may request a meeting with the Board of Directors to review the decision. The decision by the Board of Directors is final.

Consideration may include, but are not restricted to such criteria as:

- 1. Protection sought under the Massachusetts or Federal laws of bankruptcy or insolvency;**
- 2. Foreclosure by the mortgage holder;**
- 3. Less than 30% occupancy and documentation of inability to cover debt service obligations of the building;**

Potential policies for BID hardship provision:

- In a multi-use building, “significant financial hardship” will be based on the entire property, not on the individual uses.
- The adjustment of District fees, which may result from an abatement, granted either by the City of Worcester or the Appellate Tax Board, shall be made when and as the City reflects such abatements in the tax billing.
- Vacant land in the District shall be assessed a fee in accordance with the approved fee structure of the district.
- The Board of Directors/Finance Committee will consider requests for waivers or reduction of District fees only:
 - *Within thirty (30) days after the mailing of the first quarterly billing in the fiscal year.
 - *Within thirty (30) days after the mailing of the third quarterly billing in the fiscal year.
- Requests for the waiver or adjustment of District fees will be considered based upon information and facts in place at the time the request is considered.
- In fairness to all BID members, the standards for the waiver or reduction of the annual fees shall be stringent and will be applied consistently.
- If a waiver or reduction of the District fee is granted, such a decision will be effective only for the basis of the fiscal year in which the decision is made, and reviewed every six (6) months.