

If the members of the Agency determine, upon a review of the facts related to a Project's non-compliance with the Transaction Documents, that there is not a valid and acceptable reason for such non-compliance with the provisions of the Transaction Documents, the members of the Agency may (i) authorize staff of the Agency to proceed with enforcement of the Agency's rights and remedies (including, but not limited to, termination of the Transaction Documents, suspension of future Financial Assistance and/or recapture of previously granted Financial Assistance), or (ii) authorize the Agency to enter into an amendment of the Transaction Documents providing for a modification of the terms of the granting of the Financial Assistance (e.g., an increase in PILOT payments, reduction in authorized sales tax exemptions) based on the particular circumstances of the matter, including, without limitation, partial compliance with the Agency's requirements.

This Policy is subject to modification and amendment in the discretion of the members of the Agency, shall be filed annually with all local and state agencies as required under all applicable law and shall be posted on the Agency's website.

This Policy was adopted by the members of the Agency on June 28, 2016.