

**Virgin Islands Economic Development Commission
Decision Meeting of Thursday, August 26, 2021
Summary Report Out**

During the Virgin Islands Economic Development Commission (“VIEDC”) Decision Meeting on Thursday, August 26, 2021, the Governing Board heard recommendations from staff regarding two (2) compliance matters and voted as follows:

Regular Session:

Action Items:

Compliance:

1. Professional Holding Company VI, LLC – Voluntary Termination of Incentives

Professional Holding Company VI, LLC (“Professional Holding”) was granted tax incentives on May 18, 2006 to conduct the operation of a Category IIA - Designated Service Business providing business consulting, investment banking, insurance, subordinated debt investment and advisory services, human resources and business services to clients outside the U.S. Virgin Islands. Professional Holding was approved for 30 years of tax incentive benefits, which commenced on April 1, 2005 to March 31, 2035. Professional Holding is located on the island of St. Croix.

On December 30, 2020, Professional Holding filed a request to terminate the Certificate of Tax Incentives beginning January 1, 2018.

The Governing Board voted (5 – 0) to:

1. Find that Professional Holding Company VI, LLC has shown good cause to voluntarily terminate its incentives prior to the expiration of its certificate.
2. Terminate Professional Holding Company VI, LLC’s VIEDC Certificate of Tax Incentives effective December 31, 2017 pursuant to 29 V.I.C. §719, and administratively close the file.
3. Release Professional Holding Company VI, LLC from any penalty and fines to the VIEDC pursuant to 29 VIC Section 723(c).
4. Require that the action by the VIEDC not release Professional Holding Company VI, LLC from any other obligations, contractual agreements, laws, or regulations related to the beneficiary’s activities with any other federal or local governmental entity or its obligation contractual or otherwise with other entities.

2. Yacht Haven USVI, LLC. – Waiver of In-Kind Contributions Requirement

Yacht Haven (USVI), LLC, (“Yacht Haven”) formerly known as In-USVI, LLC, was granted tax incentives on April 1, 2004 to own, operate, and lease upland facilities and own, operate, and operate marina facilities. Yacht Haven shall own, operate, rent and/or sell: marina retail; commercial and general retail; waterfront bars and restaurants; conference center; office space residential components anticipated to include luxury fractional/condominium units; local crafts vendors; open and structural parking spaces; water based themed attraction; landmark fountain welcoming visitors to the harbor; slip rentals, sales and club members; linear-foot

marina fuel dock; and a pier extending into the harbor; and a yacht club with a restaurant for a period of 10 staggered years of incentives. Yacht is located on the island of St. Thomas.

On December 23, 2020, Yacht Haven filed a request for approval of a temporary waiver of its in-kind contribution requirement for calendar years 2020 and 2021 as well as a concession to allow a roll-over of excess contributions to 2021.

The Governing Board voted (5 – 0) to:

1. Find that Yacht Haven (USVI), LLC complied with its charitable contributions for 2016, 2017, 2018, and 2019.
2. Find that Yacht Haven (USVI), LLC failed to comply with its charitable contribution in 2020 by \$40,000.00 (\$1,000 cash and \$39,000 in-kind) and allow the excess charitable contributions from 2019 (\$47,815.00) to be applied to its 2020 charitable contribution shortfalls (\$40,000.00).
3. Grant Yacht Haven (USVI), LLC's request for a waiver of the Certificate's in-kind contributions for the year 2021 and allow for the contributions made in the amount of \$82,875.00 to satisfy the total annual requirement (cash and in-kind).
4. Require Yacht Haven (USVI), LLC to adhere to all other standard and special provisions /conditions of its Certificate of Tax Incentives.