

NO FEE DOCUMENT

**Recording requested by and  
When recorded, mail to:**

County of Santa Barbara  
Housing and Community Development  
123 East Anapamu Street, 2<sup>nd</sup> Floor  
Santa Barbara, CA 93101  
Attn: Deputy Director

NO FEE DOCUMENT PURSUANT TO  
CALIFORNIA GOVERNMENT CODE SECTION 27383

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**FIRST AMENDMENT TO  
COUNTY HOME LOAN REGULATORY AGREEMENT AND  
DECLARATION OF RESTRICTIVE COVENANTS**

This First Amendment to the County HOME Loan Regulatory Agreement and Declaration of Restrictive Covenants (this “First Amendment”) is made as of this 15th day of November, 2016 by and between the County of Santa Barbara, a political subdivision of the State of California (the “Lender”), and Good Samaritan Shelter, 245 E. Inger Dr., Suite 103B, Santa Maria, CA 93454, a California Nonprofit Organization, (the “Owner”).

**RECITALS**

A. Lender and Owner mutually agree to amend the County HOME Loan Regulatory Agreement and Declaration of Restrictive Covenants to require Borrower to give preferences to veterans who apply for occupancy at the property at 220 S. First Street in the unincorporated area of the County known as Orcutt.

B. Pursuant to 24 CFR 91.220 (l)(2)(vi) the participating jurisdiction may limit the beneficiaries or give preferences to a particular segment of the low-income population only if described in the action plan and (A) Any limitation or preference must not violate nondiscrimination requirements in 24 CFR 92.350, and the participating jurisdiction must not limit or give preferences to students, and (B) A limitation or preference may include, in addition to targeting tenant-based rental assistance to persons with special needs, as provided in 24 CFR 92.209(c)(2), limiting beneficiaries or giving preferences to such professions as police officers, teachers, or artists, and (C) The participating jurisdiction must not limit beneficiaries or give a preference to all employees of the jurisdiction and (D) The participating jurisdiction may permit rental housing owners to limit tenants or give a preference in accordance with 24 CFR 92.253(d) only if such limitation or preference is described in the action plan.

C. Pursuant to the Amendment to County Consolidated Plan for the period July 1, 2015 through June 30, 2020, approved by the County Board of Supervisors on November 8, 2016 and the Amendment to the County FY 2016-17 Action Plan, approved by the County Board of Supervisors on November 8, 2016, the County’s Consolidated Plan and FY 2016-17 Action Plan

include the provision that a preference may be given to Veterans who apply to rent or purchase property that received funding from the County under the federal HOME Investment Partnerships (HOME) program.

D. A Veterans Preference means that a qualifying Veteran who applies for a County HOME housing unit, or an applicant of Tenant-Based Rental Assistance (TBRA) funded with County HOME funds, may move to the top of a waiting list, if applicable, or may be served ahead of other applicants. To qualify for a Veterans Preference, the Head of Household or Spouse must have served in active duty in the United States Armed Forces for a minimum of six (6) continuous months, and if separated from military service, received other than dishonorable discharge. The veteran preference will also be given to a surviving spouse or registered domestic partner of a deceased veteran, as defined herein. Verification of veteran status will be by the submittal of a copy of the veteran's DD-214.

NOW THEREFORE, IN CONSIDERATION of the mutual agreements, obligations, and representations, and in further consideration for the making of the County HOME Loan, Borrower and Lender hereby agree as follows:

Section 1.14 “QUALIFYING HOUSEHOLD” is hereby amended to read, “Qualifying Household means a household that qualifies as a Very Low-Income Household as defined in 24 CFR 92.2. A Qualifying Household who meets the definition of Veteran must be given a preference to be first considered for a vacancy or may be moved to the top of a waiting list, if applicable. Veteran is defined as the Head of Household or Spouse who has served in active duty in the United States Armed Forces for a minimum of six (6) continuous months, and if separated from military service, received other than dishonorable discharge. The veteran preference will also be given to a surviving spouse or registered domestic partner of a deceased veteran, as defined herein. Verification of veteran status will be by the submittal of a copy of the veteran's DD-214.”

Section 4.2 TENANT SELECTION is amended to read: “Before leasing the Project, the Owner must provide Lender for its review and approval the Owner’s written tenant selection plan. Tenant selection must, at a minimum, meet the requirements for tenant selection set out in 24 C.F.R. 92.253(d) and any modifications thereto. A Veteran’s preference must be applied pursuant to amended Section 1.14 as described above. Any changes to the tenant selection plan require prior written approval from Lender”.

*Signatures appear on following page. No further text appears here.*

IN WITNESS WHEREOF, County and Borrower have caused this Agreement to be executed by their respective duly authorized officers.

**ATTEST:**

MONA MIYASATO  
Clerk of the Board

By: \_\_\_\_\_  
Deputy Clerk of the Board

**LENDER:**

County of Santa Barbara,  
a political subdivision of the State of California

By: \_\_\_\_\_  
Peter L. Adam, Chair  
Board of Supervisors

**APPROVED AS TO ACCOUNTING  
FORM:**

THEO FALLATI, CPA  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_  
Director, Community Services Dept.

**APPROVED AS TO FORM**  
MICHAEL GHIZZONI  
COUNTY COUNSEL

By: \_\_\_\_\_  
Deputy County Counsel

**BORROWER**

Good Samaritan Shelter  
a California Nonprofit Organization

**APPROVED AS TO FORM:  
RISK MANAGEMENT**

By: \_\_\_\_\_  
Ray Aromatorio, ARM, AIC  
Risk Manager

By: \_\_\_\_\_  
President, Board of Directors

By: \_\_\_\_\_  
Secretary

State of California  
County of Santa Barbara

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_ and \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

State of California  
County of Santa Barbara

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_ and \_\_\_\_\_  
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Signature \_\_\_\_\_ (Seal)