

**First Amendment to the
COUNTY HOME LOAN AGREEMENT
(\$475,000)**

Between

County of Santa Barbara

and

Good Samaritan Shelter

(Affordable Housing Project, Orcutt)



HOME Investment Partnerships Program
Catalog of Federal Domestic Assistance Number 14.239

**COUNTY HOME LOAN AGREEMENT
(GOOD SAMARITAN SHELTER AFFORDABLE HOUSING PROJECT - ORCUTT)**

This first amendment to the agreement (“County HOME Loan Agreement”) is made as of this 15th day of November 2016, by and between the County of Santa Barbara, political subdivision of the State of California (“Lender”), and Good Samaritan Shelter, a California nonprofit organization, whose address is 245 E. Inger Dr., Suite 103B, Santa Maria, CA 93454 (“Borrower”).

RECITALS

A. Lender and Borrower mutually agree to amend the County HOME Loan Agreement 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 1.28 "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 5.4 "TENANT SELECTION" is hereby amended to read, "In the selection of tenants, Borrower shall comply with the written tenant selection provisions of the Management Plan attached hereto as Exhibit G and incorporated herein. 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 1.28 as described above. Any changes to the Management Plan require prior written approval from Lender.

Except as set forth hereof, this First amendment shall not modify or change any of the provisions of the County HOME Loan Agreement, and the parties to the Agreement are bound by its provisions, as amended herein.

- Signature page follows -

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

COUNTY:

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, CPFO
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

By: _____
President, Board of Directors

By: _____
Secretary

APPROVED AS TO FORM:

RISK MANAGEMENT

By: _____
Ray Aromatorio, ARM, AIC
Risk Manager