



# Lender Consent

## LENDER CONSENT TO PROPOSED CONTRACTUAL ASSESSMENT

**Date:**

**Lender:**

**Loan Number(s):**

**Owner:**

**Address:**

**Assessor's Parcel Number:**

The undersigned is the lender (the "Lender") with respect to the above-referenced loan (the "Loan") relating to the above-referenced property (the "Property"), fee title of which is owned by the above-referenced Owner. In connection with the Owner's application for participation in the Los Angeles County Energy Program ("LACEP") established by the County of Los Angeles (the "County"), the Lender hereby certifies, acknowledges, confirms and agrees as follows:

- 1) He/she is duly authorized to execute this Certificate on behalf of the Lender.
- 2) The Lender is in receipt of the Notice of Proposed Contractual Assessment (the "Notice") from the Owner that Owner intends to finance installation on the Property of certain renewable energy, energy efficiency and/or water efficiency improvements that will be permanently fixed to the Property by participating in LACEP.
- 3) As a result of an Assessment Contract between the County and the Owner (the "Assessment Contract") and pursuant to Chapter 29 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, the Contractual Assessment described in the Notice will be levied on the Property and the Contractual Assessment (including any penalties and interest) will be secured by a statutory lien that is senior to the lien securing the Loan.
- 4) The Lender consents to the levy of the Contractual Assessment pursuant to the Assessment Contract.
- 5) The Lender agrees that the levy of the Contractual Assessment will not constitute an event of default or cause, directly or indirectly, the exercise of any remedies under any documents relating to the Loan.

The Lender further acknowledges that the Owner and the County will rely on this Certificate in connection with the disposition and administration of the Assessment Contract and the LACEP.

[LENDER]

By: \_\_\_\_\_  
Name:  
Title:  
Date:

**NOTICE OF PROPOSED CONTRACTUAL ASSESSMENT  
(Commercial Property Owner)**

**Notice** \_\_\_\_\_

**Lender:** \_\_\_\_\_

**Loan Number(s):** \_\_\_\_\_

**Lender Address:** \_\_\_\_\_

**Property Information:**

**Owner:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Assessor's Parcel Number:** \_\_\_\_\_

To Whom It May Concern:

The undersigned (the "Owner") is the owner of a certain real property located at the above-referenced address (the "Property"). You are the lender (the "Lender") with respect to the above-referenced loan (the "Loan") relating to the Property.

The Owner is sending this Notice of Proposed Contractual Assessment to (i) provide notice of the Owner's proposed participation in the Los Angeles County Energy Program ("LACEP"), (ii) request confirmation from the Lender that the levy of the contractual assessment pursuant to the herein described Assessment Contract will not constitute an event of default or cause, directly or indirectly, the exercise of any remedies under any documents relating to the Loan, and (iii) provide notice that the contractual assessment (including any penalties and interest) will be secured by a statutory lien on the Property that is senior to the lien securing the Loan.

Background. The County of Los Angeles, a political subdivision of the State of California (the "County") has established LACEP to help finance the acquisition and construction on and installation in the assessed properties, including the Property, of certain qualifying renewable energy systems and energy and water efficiency improvements (the "Improvements") pursuant to Chapter 29 of Part 3 of Division 7 of the Streets & Highways Code of the State of California ("Contractual Assessment Law"). The City of [City], a political subdivision of the State, has resolved to participate in LACEP.

In accordance with Contractual Assessment Law, the County will levy a contractual assessment to finance the installation of the Improvements on certain property with the agreement of the applicable property owner pursuant to the terms of an assessment contract (the "Assessment Contract") between such property owner and the County. Pursuant to Section

5898.30 of Contractual Assessment Law, the contractual assessment (including any penalties and interest) is collected on the property tax bill and is secured by a lien on the applicable property that is (i) senior to all private liens, including private liens that existed prior to levy of the contractual assessment and (ii) cannot be subordinated to the private liens.

Information regarding the purpose and method of administration of the assessments under LACEP can be found at \_\_\_\_\_ [website].

Participation in LACEP. The Owner has applied to participate in LACEP and intends to finance installation on the Property of the Improvements set forth on Exhibit A hereto. The contractual assessment to be levied on the Property (the “Contractual Assessment”) pursuant to the Assessment Contract and the related payment terms are proposed to consist of the following:

Principal amount: \$ \_\_\_\_\_  
Estimated interest rate: \_\_\_\_\_ %  
Term of repayment period: \_\_\_\_\_  
Annual administrative component: \$ \_\_\_\_\_  
Total estimated annual installment: \$ \_\_\_\_\_

Lender Approval. Please acknowledge that participation of the Property in LACEP is acceptable to the Lender by executing the attached Certificate of Lender and returning it to the undersigned at your earliest convenience.

Very truly yours,

BY: \_\_\_\_\_  
(Signature)

OWNER NAME: \_\_\_\_\_

MAILING ADDRESS (if different than  
Property address): \_\_\_\_\_

\_\_\_\_\_