

RECORDING REQUESTED BY:

City Manager
City of Walnut Creek

WHEN RECORDED, RETURN TO:

City of Walnut Creek
1666 N. Main Street
Walnut Creek, CA 94596
Attention: City Clerk

**REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE
COVENANTS BETWEEN THE CITY OF WALNUT CREEK AND**

This Regulatory Agreement and Declaration of Restrictive Covenants (the "Agreement") is entered into as of _____, by and between the City of Walnut Creek, a municipality ("City") and _____, Owner (Owner) of the property identified as _____, Walnut Creek, California.

SECTION 1. AGREEMENT

1. City of Walnut Creek approved building permit number _____ for a _____s.f. accessory dwelling unit (ADU) on a property identified as _____ (APN:_____).
2. Pursuant to the California Senate District 7 ADU Accelerator Program, the Owner will receive a \$_____ rebate in exchange for restricting the unit to be rented to low-income households.
3. A low-income household shall be an income not greater the 80% of median income, as adjusted for family size, consistent with the incomes for Contra Costa County, published annually by the California Department of Housing and Community Development pursuant to Health & Safety Code Section 50093(c).
4. Before executing a lease, the Owner shall verify that the prospective qualifying low-income household has a gross annual household income at, or below, the maximum allowable income range, as adjusted for household size both for projected annual household income for the current calendar year and for the most recently completed calendar year, based on tax returns and pay receipts to date for the current year. If the agreement is to be executed in the first three

months of the year, the determination shall be based on the last two full year tax returns.

5. The term of the restriction shall be 20 years from the date of the execution of this agreement.
6. The maximum rental rate shall not exceed 35% of a qualifying applicant's gross household income, adjusted for family size, divided by 12 (based on a monthly payment).
7. The rental rate may be revised on a minimum bi-annual basis to reflect changes to the income data described under number 5 of this Section.
8. The ADU established under this program is not required to be rented. However, if the unit is rented, it must be rented to a qualifying low-income household at the established maximum low-income household rental rate.

SECTION 2. AGREEMENT TO RECORD

1. The Owner shall record this agreement to run with the title of the property and provide evidence of such recording to the City of Walnut Creek prior to the City's final approval of the building permit.

The parties have executed this Agreement on the date first written above.

CITY OF WALNUT CREEK

By: _____
City Manager

Approved as to form:

Attest:

By: _____
City Attorney

By: _____
City Clerk

OWNER

By: _____
Name