



June 8, 2018

Department of Business Oversight, Legal Division
Attn: Mark Dyer, Regulations Coordinator
1515 K Street, Suite 200
Sacramento, CA 95814-4052
RE: PRO 02/17 (PACE)

Dear Mr. Dyer:

Please find enclosed comments prepared by the California Association of County Treasurers and Tax Collectors (CACTTC) regarding the draft regulations to implement AB 1284 (Dababneh, 2017).

Last year, the association appointed a standing sub-committee to review legislation and regulations pertaining to Property Assessed Clean Energy (PACE.) That committee has rigorously reviewed the first draft of the regulations and provided detailed suggested revisions.

We appreciate this opportunity to provide feedback. CACTTC is focused on taxpayer protections in these transactions and the comments enclosed are intended to achieve those goals. We also provided comments and suggested edits to clarify terminologies and reflect the operational terms of county treasurers and tax collectors, where appropriate. We look forward to our continued collaboration to bolster these critical protections and are available to discuss any questions you have regarding our edits and comments.

Thank you for your consideration.

Sincerely,

Dan Mierzwa
Yuba County Treasurer-Tax Collector
Chair, CACTTC Legislative Committee

CC: CACTTC Membership

//enclosure

California Association of County Treasurers and Tax Collectors
1415 L Street, Suite 1000 • Sacramento, California 95814
(916) 441-1850 • **Fax:** (916) 441-6178
Website: www.cacttc.org



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RE: PRO 02/17 (PACE)

Dear Mr. Dyer:

The California Association of County Treasurers and Tax Collectors (CACTTC) has prepared and submitted comments as an association to address concerns and make suggestions on the first proposed set of draft regulations to implement AB 1284 (Dababneh, 2017). Those have been sent under separate cover.

During our work on legislation to improve consumer protections on Property Assessed Clean Energy (PACE), we have frequently found common ground with other stakeholders on matters of consumer protection. In particular, CACTTC supports many suggestions raised by the California Low-Income Consumer Coalition (CLICC).

We have reviewed CLICC's suggestions to the first draft of the regulations, and CACTTC wishes to strenuously support the following suggested improvements made by CLICC:

- ✓ A standard brochure approved by the Department of Business Oversight (DBO) must be used by all administrators for consistency.
- ✓ There should be strict timelines for the complaint process and resolution, along with record keeping standards.
- ✓ Good faith estimates should be required before any agreement is signed.
- ✓ Truth in lending laws should be utilized.
- ✓ DBO should maintain a list of PACE solicitors that have been the subject of complaints filed; that list should be public and searchable.
- ✓ The required annual report data should include specific data on the age of homeowners taking on new PACE liens.
- ✓ Documents should only be in printed form for the confirmed terms call, and the call should only occur after a printed copy of documents and disclosures has been mailed to the homeowner (not all homeowners will be able to download/get on email and print).
- ✓ The ability to pay language should be standard across the industry.
- ✓ Life expectancy of the improvement needs to at least match, if not exceed, the repayment terms.

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