



| | | | | | | |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|
| Home | Bill Information | California Law | Publications | Other Resources | My Subscriptions | My Favorites |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|

Code: Section:

[Up^](#) [Add To My Favorites](#)

HEALTH AND SAFETY CODE - HSC

DIVISION 31. HOUSING AND HOME FINANCE [50000 - 54913] (*Division 31 repealed and added by Stats. 1977, Ch. 610.)*

PART 1. STATE HOUSING POLICY AND GENERAL PROVISIONS [50000 - 50300] (*Part 1 added by Stats. 1977, Ch. 610.)*

CHAPTER 3.5. Qualified Mortgage Bonds And Mortgage Credit Certificates [50172 - 50199.2] (*Heading of Chapter 3.5 amended by Stats. 1985, Ch. 1399, Sec. 1.)*

ARTICLE 2. Mortgage Credit Certificates [50197.1 - 50199.2] (*Heading of Article 2 renumbered from Article 4 by Stats. 1994, Ch. 1164, Sec. 21.)*

50197.1. An issuer may establish a mortgage credit certificate program pursuant to this article.

(*Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.*)

50197.2. (a) An issuer shall notify the committee if the issuer elects to exchange all or part of the issuer's authority to issue qualified mortgage bonds for authority to issue mortgage credit certificates. The notification shall include a statement which does both of the following:

(1) Specifies the amount of the qualified mortgage bond authority that the issuer will not be issuing in order to issue mortgage credit certificates.

(2) Explains how the issuer shall assure that the dollar amount of mortgage credit certificate authority will not be exceeded.

(b) An issuer may revoke the election if the issuer notifies the committee that it cannot successfully carry out that exchange.

(*Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.*)

50197.3. A mortgage credit certificate may be issued under a mortgage credit certificate program by a local agency pursuant to this chapter and the federal act, as defined by paragraph (2) of subdivision (f) of Section 50176.

(*Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.*)

50197.5. Any local agency may, upon the approval of the California Debt Limit Allocation Committee pursuant to subdivision (d) of Section 8869.85 of the Government Code, by written agreement assign to any other issuer having the authority to issue qualified mortgage bonds under the laws of this state all or any part of the local agency's allocation pursuant to Sections 50189, 50190, and 50191 for the calendar year. Under the assignment, the issuer shall agree to issue mortgage credit certificates to qualifying homeowners of property located within the territory of the assigning local agency, provided however that if, after a reasonable attempt and for reasons beyond the control of the issuer, the issuer is unable to issue all of the assigned certificates to homeowners of property located within the territory of the assigning local agency, any remaining certificates may be issued to qualifying homeowners of property located within the county within which the assigning local agency is located.

(*Added by Stats. 1989, Ch. 1069, Sec. 1.*)

50197.7. If an issuer elects to exchange all or part of a supplementary allocation of qualified mortgage bonds for authority to issue mortgage credit certificates, the issuance of those mortgage credit certificates shall be subject to the restriction imposed by subdivision (b) of Section 50189.

(*Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.*)

50198. The requirement that public notice be given that mortgage credit certificates will be issued, prescribed by Section 25(e)(5) of Title 25 of the United States Code, may be satisfied by the issuer or its lenders advertising their issuance at least 90 days prior to the

issuance of any mortgage credit certificate. If an issuer is required to file an application with the committee for a qualified mortgage bond allocation, it may commence advertising for the issuance of a mortgage credit certificate on the day it files its application with the committee.

(Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.)

50198.5. An issuer shall develop and maintain a list of lenders that have entered into an agreement with the issuer who will make loans to qualified holders of mortgage credit certificates, as provided by the federal act, as defined by paragraph (2) of subdivision (g) of Section 50176.

(Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.)

50199. Notwithstanding any other provision of law, after a list of lenders has been completed by an issuer, after the qualified mortgage bond allocation has been approved by the committee, and after the issuer has made the election to exchange all or part of the issuer's authority to issue qualified mortgage bonds for authority to issue mortgage credit certificates, the issuer and its lenders shall have 90 days after the allocation is granted by the committee to establish, and file with the committee, a mortgage credit certificate program.

(Added by Stats. 1985, Ch. 1399, Sec. 7.5. Effective October 1, 1985.)

50199.2. Any issuer that establishes a mortgage credit certificate program may charge a fee which is reasonably sufficient to cover the costs of administering that program.

(Added by renumbering Section 50199.5 by Stats. 1994, Ch. 1164, Sec. 23. Effective January 1, 1995.)