



COUNTY OF ALAMEDA

**HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL RELEASE AND WAIVER OF LIABILITY
(AC Boost Down Payment Assistance Loan Program)**

I (We) hereby acknowledge that I (We) am (are) applying for the AC Boost Down Payment Assistance Loan Program from the County of Alameda, a political subdivision of the State of California ("County"), acting through the Housing and Community Development Department ("HCD").

By participating in this program, I (we) hereby waive any right to recover from, and forever release and discharge County, its officers, employees, agents, contractors and representatives, and their respective heirs, successors, legal representatives and assigns, from any and all demands, claims, legal or administrative proceedings, losses, liabilities, damages, penalties, fines, liens, judgments, costs or expenses whatsoever (including, without limitation, attorneys' fees and costs), whether direct or indirect, known or unknown, foreseen or unforeseen, that may arise on account of or in any way be connected with, any injury, loss or damage to any person or property in or about the property located at _____, _____, CA 94_____, that I (we) am (are) about to purchase (the "Property") by or from any cause whatsoever including, without limitation, **(i)** any act or omission of persons performing work on the Property; **(ii)** any act or omission of persons occupying adjoining premises or any part of the building adjacent to or connected with the Property, **(iii)** theft, **(iv)** explosion, fire, steam, oil, electricity, water, gas or rain, pollution or contamination, **(v)** Property defects or any reports pertaining to the Property, and **(vi)** any other acts, omissions or causes.

In connection with the foregoing release, I (we) expressly waive the benefits of Section 1542 of the California Civil Code, which provides as follows:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASED PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

I (We) affirm that I (We) have reviewed the following inspection reports for the Property with a realtor or another professional and understand the findings in the reports prepared by third parties on behalf of seller or for me (us): (i) a general inspection performed by a state-licensed and independent third-party home inspector and (ii) a pest control inspection for wood destroying pests and organisms performed by a reputable license holder issued by the California Department of Consumer Affairs and the California Structural Pest Control Board. I (We) affirm that both of the inspection reports reviewed were no more than ninety (90) days old at the time of submission to the Program Administrator. I understand and agree that the County was not included in the preparation of, makes no representations and warranties, and is not in any way responsible for or may be relied upon in connection with such reports.

I (We) hereby assume full responsibility for all liability and all risk of injury or loss, in connection with the Property.

I (We) affirm that the information I (We) have provided is true; that I (We) have reviewed the rules and regulations of the AC Boost Down Payment Assistance Loan. I further understand that the County reserves the right to take appropriate civil and/or criminal action against me for any proven fraudulent use of this Down Payment Assistance Loan.

I (We) agree that I (We) have read and understand this General Release and Waiver of Liability.

Applicant's Signature **Applicant's Printed Name** **Date**

Co-Applicant's Signature **Co-Applicant's Printed Name** **Date**