

AMENDMENT No. 1
TENANT READINESS RENT GUARANTEE AGREEMENT #2130
City of Portland Agreement No. 30000962

183826

This is Amendment No.1 to Agreement No. 2130 dated January 12, 2010 between the State of Oregon, acting by and through its Housing and Community Services Department ("OHCS") and City of Portland ("Program Provider").

The Agreement is hereby amended as follows (new language is indicated by underlining and deleted language is indicated by [brackets]):

- 5.1 To guarantee up to [50] 112 certified participants and provide a commitment of funds in an amount not-to-exceed of [~~\$100,000.00~~] \$224,000.00 to be available for reimbursing the Program Provider for allowable Rent Guarantee Payments made pursuant to the terms of this Agreement, unless otherwise amended for additional guaranteed certified participants and consideration, and of the Rent Guarantee Program as detailed or amended from time to time by OHCS.

Any program claims in excess of the approved [50] 112 will be solely the responsibility of the Program Provider.

Except as expressly amended above, all other terms and conditions of the Agreement are still in full force and effect. The parties hereto expressly accept and ratify the Agreement as herein amended. Subgrantee certifies that the representations, warranties and certifications contained in the Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

Grant Funds: Subgrantee shall assume sole liability for breach of the conditions of the grant by Subgrantee or any of its subrecipients, and shall, upon breach of grant conditions that requires the State to return funds to the grantor, whether such breach is by Subgrantee or by its subrecipient(s), hold harmless and indemnify the State for an amount equal to the grant funds received under this Agreement; or if there are legal limitations on the indemnification ability of the Subgrantee, the indemnification amount shall be the maximum amount of funds available for expenditure, including any available contingency funds or other available non-appropriated funds, up to the amount of grant funds received under this Agreement.

CITY OF PORTLAND

By: Margaret Van Vliet *Margaret Van Vliet for MSU 4.23.10* Title: Director, Portland Housing Bureau Date: _____

By: _____ Title: City Commissioner Date: _____
Nick Fish

APPROVED AS TO FORM
APPROVED AS TO FORM:
By: Linda Meng *Linda Meng* Title: City Attorney Date: _____
Linda Meng
CITY ATTORNEY

By: _____ Title: City Auditor Date: _____
LaVonne Griffin-Valade

OREGON HOUSING AND COMMUNITY SERVICES

Authorized Signature: Victor Merced *Victor Merced* Date: 4.27.2010
Victor Merced, Director or designee

DEPARTMENT OF JUSTICE

Approved for Legal Sufficiency: D. Kevin Carlson *Via e-mail* Date: 4/5/2010
D. Kevin Carlson, Senior Assistant Attorney General