



Superior Court of the State of California,  
County of Los Angeles

*OCANA, et al. v. RENEW FINANCIAL HOLDINGS, INC., et al.*

*NEMORE, et al. v. RENOVATE AMERICA, INC., et al.*

Case No. BC701809; Related Case No. BC701810

# Class Action Notice

***Authorized by the Los Angeles Superior Court***

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**Did you have a  
Property  
Assessed Clean  
Energy (PACE)  
Assessment in  
L.A. County  
between March  
1, 2015 and  
March 31, 2018?**

**There is a \$12  
Million  
settlement of a  
lawsuit.**

**You may be  
entitled to  
money.**

**To be part of this  
settlement, you  
should:**

**Read this notice.**

**Respond by June  
13, 2024.**

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Important things to know:

- If you take no action, you will still be bound by the settlement, and your rights will be affected.
- You can learn more at: [www.PACELASettlement.com](http://www.PACELASettlement.com).

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# I. About This Notice

## (a) Why did I get this notice?

This notice is to tell you about the settlement of two class action lawsuits, *Ocana, et al. v. Renew Financial Holdings, Inc., et al.* and *Nemore, et al. v. Renovate America Inc.*, brought on behalf of homeowners who had PACE assessments with the County of Los Angeles, administered by Renew Financial or Renovate America. **You received this notice because you may be a member of the group of people affected, called the “class.”** This notice gives you a summary of the terms of the proposed settlement agreement, explains what rights class members have, and helps class members make informed decisions about what action to take.

## (b) What do I do next?

Read this notice to understand the settlement and to determine if you are a class member. Then, decide if you want to:

Options	More information about each option
<b>Submit a Claim Form</b>	You must submit a claim to receive payment. You will be bound by the settlement.
<b>Do Nothing</b>	Get no payment. Give up rights resolved by settlement.
<b>Opt Out</b>	Get no payment. Allows you to bring another lawsuit against the County of L.A. and/or Renew Financial about the same issues.
<b>Object</b>	Tell the Court why you do not like the settlement.

Read on to understand the specifics of the settlement and what each choice would mean for you.

## (c) What are the most important dates?

- Your deadline to object or opt out: **June 13, 2024**
- Settlement approval hearing: **August 9, 2024**
- Your deadline to submit a claim form: **June 13, 2024**

# II. Learning About the Lawsuit

## (a) What is this lawsuit about?

There are two related cases: (1) Reginald Nemore, Violeta Senac, Aurelia Millender, and Allen Bowen v. Renovate America, Inc. and the County of Los Angeles (Case No. BC 701810), and (2) Zenia Ocana, Juan Ocana Lau, Violeta Senac, and Maria Alvarez v. Renew Financial Holdings, Inc., Renew Financial Corp. II, and the County of Los Angeles (Case No. BC 701809). These lawsuits allege that, in implementing the PACE program, Los Angeles County, Renew, and Renovate committed financial elder abuse, entered into an unlawful PACE contract, and breached the PACE contracts. The lawsuits also sought cancellation of taxes due to PACE assessments and damages resulting from homeowners' PACE assessments.

**Where can I learn more?**  
You can get a complete copy of the proposed settlement and other key documents in this lawsuit at:  
[www.PACELASettlement.com](http://www.PACELASettlement.com)

## (b) Why is there a settlement in this lawsuit?

In 2022, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation.

The settlement is on behalf of the homeowners who brought the case and all members of the settlement class, who are all homeowners who entered into a Renew Financial Assessment Contract or Renovate America Assessment Contract with Los Angeles County between March 1, 2015 and March 31, 2018, where that assessment contract has been recorded as a lien against the homeowner's real property. The Court has not decided this case in favor of either side.

**What is a class action settlement?**  
A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members.

### (c) What happens next in this lawsuit?

The Court will hold a fairness hearing to decide whether to approve the settlement. The hearing will be held at:

**Where:** Department 10 of the Spring Street Courthouse, 312 N. Spring Street, Los Angeles, California, 90012.

**When:** August 9, 2024 at 11:00 AM.

The Court has directed the parties to send you this notice about the proposed settlement. Because the settlement of a class action decides the rights of all members of the proposed class, the Court must give final approval to the settlement before it can take effect. Payments will only be made if the Court gives final approval to the settlement. If the Court gives final approval of the settlement, notice of final approval of the settlement will be posted online at [www.PACELASettlement.com](http://www.PACELASettlement.com).

You do not have to attend, but you may at your own expense. You may also ask the Court for permission to speak and express your opinion about the settlement. If the Court does not approve the settlement or the parties decide to end it, it will be void and the lawsuit will continue. The date of the hearing may change without further notice to members of the class. To learn more and confirm the hearing date, go to [www.PACELASettlement.com](http://www.PACELASettlement.com).

## III. Learning About the Settlement

### (a) What does the settlement provide?

The settlement pays money to homeowners who entered into a Renew Financial Assessment Contract or Renovate America Assessment Contract with Los Angeles County between March 1, 2015 and March 31, 2018, and whose assessment contract was recorded as a lien against the homeowner's property.

The County of Los Angeles and Renew Financial have agreed to pay \$12 million into a settlement fund. This money will be divided among the class members and will also be used to pay for costs and fees approved by the Court, including attorneys' fees and the costs of settlement administration (not to exceed \$2 million in total).

This settlement provides for four levels of benefits to class members who submit claims. Class members may submit one claim per qualifying PACE lien.

Level One (All Class Members): \$500,000 of the Settlement Fund shall be distributed on an equal pro rata basis for every claim submitted. For example, if there are 1,000 claims, then each claim will result in a \$500 payment from this "Level One" portion of the distribution. Similarly, if there are 10,000 claims, then each claim will result in a \$50 payment from this Level One portion of the distribution.

In addition, certain Class Members shall be eligible for additional compensation according to the criteria described in the Level Two, Level Three, and Level Four sections below. Those additional amounts will be paid based on the amounts remaining in the \$12 million Settlement Fund after subtracting the \$500,000 Level One distribution, the costs of settlement administration, and any attorneys' fees and costs the Court may award.

Level Two: All Class Members who had a debt-to-income ratio, after consideration of the PACE assessment, of greater than 50% at the time the PACE assessment was entered.

To learn how to determine your debt-to-income ratio, visit [www.PACELASettlement.com](http://www.PACELASettlement.com).

Level Three: Class Members who meet Level Two criteria and who were 65 years old or older at the time of their PACE assessment or had limited English proficiency and only received PACE related documents in English.

Level Four: Class Members who meet Level Two criteria and who had a debt-to-income ratio, after consideration of the PACE assessment, of greater than 100% at the time the PACE assessment was entered.

For granted claims under Levels Two, Three, and Four, the Settlement Administrator will make payment on behalf of the Class Member directly towards the Class Member's existing PACE assessment in accordance of the terms and conditions of the Renew Financial Assessment Contract and/or the Renovate America Assessment Contract, up to the amount of any existing PACE assessment, before remitting the remainder of any settlement amount for that class member directly to that class member.

Depending on your personal circumstances as documented in any claim you submit, you may be eligible for benefits at Level One, Level Two, Level Three or Level Four. Those eligible for benefits at Levels Two, Three, and Four will receive additional benefits, with the highest benefit amounts being received by those at Level Four.

In addition to the payments described above, six Class Representatives will receive an incentive award in the amount of \$12,500. One former putative Class Representative will also receive this incentive award for their past services as a putative Class Representative. This incentive award will be deducted from part of the Settlement Fund available to Class Members.

Members of the settlement class will “release” their claims as part of the settlement, which means they cannot sue L.A. County or Renew Financial for the same issues in this lawsuit. The full terms of the release can be found at [www.PACELASettlement.com](http://www.PACELASettlement.com).

## **(b) How do I know if I am part of this settlement?**

A Class Member under this settlement is anyone who fits the following definition:

All homeowners who purportedly entered into a Renew Financial Assessment Contract or Renovate America Assessment Contract with Los Angeles County between March 1, 2015 and March 31, 2018, where that assessment contract has been recorded as a lien against the homeowner’s real property.

If you are the heir of a homeowner who you believe meets the above definition, please contact the Settlement Administrator at 1-888-825-1218 or [info@PACELASettlement.com](mailto:info@PACELASettlement.com).

## **(c) How much will my payments be?**

The exact amount each Class Member will receive will depend on how many claims are submitted by Class Members, the details of those claims, the amount the Court awards in attorneys' fees, other amounts a class member may already have received from another source related to his or her PACE assessment, and the costs of administering the settlement.

# IV. Deciding What to Do

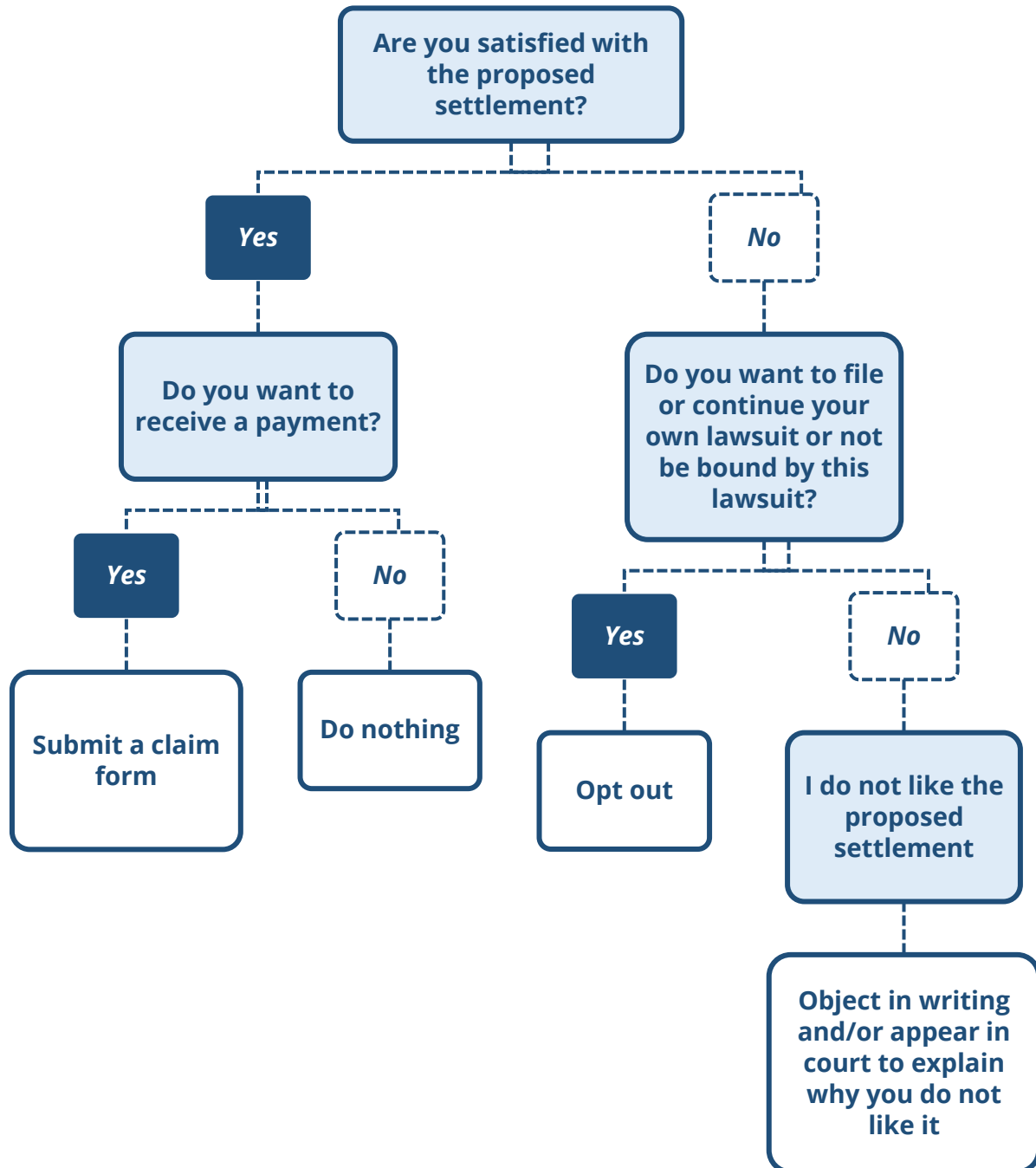
## (a) How do I weigh my options?

You have four options. You can stay in the settlement and submit a claim, you can opt out of the settlement, you can object to the settlement, or you can do nothing. This chart shows the effects of each option:

	<b>Submit a Claim</b>	<b>Opt out</b>	<b>Object</b>	<b>Do Nothing</b>
<b>Can I receive settlement money if I . . .</b>	YES	NO	YES	NO
<b>Am I bound by the terms of this lawsuit if I . . .</b>	YES	NO	YES	YES
<b>Can I pursue my own case if I . . .</b>	NO	YES	NO	NO
<b>Will the class lawyers represent me if I . . .</b>	YES	NO	NO	YES



Choose the best path for you:



## V. Submitting a Claim

### (a) How do I get a payment if I am a class member?

If you wish to receive money, you must submit a completed claim form for each qualifying PACE lien to the Settlement Administrator online or download a claim form for each qualifying PACE lien at [www.PACELASettlement.com](http://www.PACELASettlement.com) and mail it to the Settlement Administrator (see Section IX(a)).

### (b) Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For this settlement, the Court has appointed the following individuals and lawyers.

**Your lawyers:** Public Counsel, Bet Tzedek, and Hogan Lovells US LLP. These are the lawyers who negotiated this settlement on your behalf.

If you want to be represented by your own lawyer, you may hire one at your own expense.

### (c) Do I have to pay the lawyers in this lawsuit?

Lawyers' fees and costs will be paid from the Settlement Fund. You will not have to pay the lawyers directly. To date, your lawyers have not been paid any money for their work or the expenses that they have paid for the case. To pay for some of their time and risk in bringing this case without any guarantee of payment unless they were successful, your lawyers will request, as part of the final approval of this Settlement, that the Court approve a payment of no more than \$2 Million total in attorneys' fees including the reimbursement of court costs, out-of-pocket expenses, and the costs of settlement administration.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees even if you think the settlement terms are fair.

Your lawyers will also ask the Court to approve a payment of \$12,500 to each of the Class Representatives for the time and effort they

contributed to the case. If approved by the Court, this will be paid from the Settlement Fund.

## VI. Opting Out

### (a) What if I do not want to be a part of this settlement?

You can opt out. If you opt out, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens in this lawsuit and may be able to file your own case.

### (b) How do I opt out?

To opt out of the settlement, you must complete the opt out form included with this notice and mail it by June 13, 2024 to the Settlement Administrator at:

PACE L.A. Settlement  
c/o JND Legal Administration  
PO Box 91201  
Seattle, WA 98111

Be sure to include your name, address, telephone number, and signature.

## VII. Objecting

### (a) What if I disagree with the settlement?

If you disagree with any part of the settlement (including the lawyers' fees) but do not want to opt out, you may object. You must give reasons why you think the Court should not approve it and say whether your objection applies to just you, a part of the class, or the entire class. The Court will consider your views. The Court can only approve or deny the settlement — it cannot change the terms of the settlement. You may, but do not need to, hire your own lawyer to help you.

To object, you must send a letter to the Court that:

- (1) is postmarked by June 13, 2024;
- (2) includes the case name and number (Ocana, et al. v. Renew Financial Holdings, Inc., et al., Case No. BC701809)
- (3) includes your full name, address, telephone number, and email address (if you have one);
- (4) states the reasons for your objection;
- (5) says whether either you or your lawyer intend to appear at the final approval hearing and your lawyer's name;
- (6) is signed.

Mail the letter to:

PACE L.A. Settlement c/o JND Legal Administration PO Box 91201 Seattle, WA 98111	Superior Court of California, County of Los Angeles Spring Street Courthouse 312 North Spring Street Los Angeles, CA 90012
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## VIII. Doing Nothing

### (a) What are the consequences of doing nothing?

If you do nothing, you will not get any money, but you will still be bound by the settlement and its “release” provisions. That means you will not be able to start, continue, or be part of any other lawsuit against Defendants County of Los Angeles, Renew Financial Holdings, Inc., a Delaware Corporation, and Renew Financial Corp. II, a Pennsylvania Corporation, about the issues in this case. Please see the settlement agreement, which can be found at [www.PACELASettlement.com](http://www.PACELASettlement.com) for a full description of the claims and persons who will be released if this settlement is approved.

## IX. Key Resources

### (a) How do I get more information?

This notice is a summary of the proposed settlement. The complete settlement with all its terms can be found here:

www.PACELASettlement.com. To get a copy of the settlement agreement or get answers to your questions:

- contact your lawyer (information below)
- visit the case website at [www.PACELASettlement.com](http://www.PACELASettlement.com)
- access the Court Electronic Records (LA Superior Court Case Summary) system online or by visiting the Clerk’s office of the Court (address below).

Resource	Contact Information
<b>Case Website Settlement Administrator</b>	<a href="http://www.PACELASettlement.com">www.PACELASettlement.com</a> PACE L.A. Settlement c/o JND Legal Administration PO Box 91201 Seattle, WA 98111 1-888-825-1218 <a href="mailto:info@PACELASettlement.com">info@PACELASettlement.com</a>
<b>Your Lawyers</b>	Bet Tzedek Legal Services 3250 Wilshire Boulevard, 13th Floor Los Angeles, CA 90010 <b>1-323-648-4759</b> <a href="mailto:PACESettlement@BetTzedek.org">PACESettlement@BetTzedek.org</a>  Public Counsel 610 S. Ardmore Avenue Los Angeles, CA 90005 <b>1-213-385-2977 x325</b> <a href="mailto:OcanaSettlement@PublicCounsel.org">OcanaSettlement@PublicCounsel.org</a>  Hogan Lovells US LLP 1999 Avenue of the Stars, Suite 1400 Los Angeles, CA 90067 <b>1-310-785-4600</b>
<b>Court (DO NOT CONTACT)</b>	Superior Court of California, County of Los Angeles Spring Street Courthouse 312 North Spring Street Los Angeles, CA 90012