

## 2017 Council on Aging Tiny House Raffle Rules

Council on Aging Services for Seniors (COA), a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code, is conducting this raffle pursuant to California Penal Code Section 320.5, et seq, to raise funds for ongoing charitable purposes. The Rules and Regulations of the COA raffle are set forth below. By purchasing a raffle ticket the purchaser agrees to be bound by these rules and regulations. Council on Aging Services for Seniors' interpretation and application of the rules and regulations shall be final.

The Grand Prize Drawing for Council on Aging Services for Seniors Tiny House Raffle will be held on Tuesday, July 11, 2017. Tickets will not be sold after Friday, June 30, 2017. Tickets may sell out before that time. An independent raffle auditor will supervise the drawing. Prize winners do not need to be present to win.

No more than 5,000 tickets will be sold. The chances of winning are based on the number of tickets sold. If fewer tickets are sold, your chances of winning the Grand Prize and other prizes improve. The IRS has taken the position that amounts paid for chances in raffles, lotteries or similar drawings for valuable prizes are not gifts, and consequently do not qualify as deductible charitable contributions.

**BY ENTERING THIS RAFFLE, ENTRANTS ACCEPT AND AGREE (1) TO BE BOUND BY ALL THE RULES, LIMITATIONS AND RESTRICTIONS SET FORTH HERE AND (2) THAT THEIR NAMES AND/OR LIKENESSES MAY BE DISCLOSED TO AND USED BY THE NEWS MEDIA AND MAY OTHERWISE BE USED BY COA FOR PUBLICITY PURPOSES AND BE PUBLISHED IN AREA NEWSPAPERS AND ANNOUNCED ON THE COA TINY HOUSE RAFFLE WEBSITE. OTHER RULES AND REGULATIONS MAY APPLY. PLEASE CONTACT COA IF YOU HAVE QUESTIONS. COA'S INTERPRETATION AND APPLICATION OF THE RULES AND REGULATIONS SHALL BE FINAL.**

**BY ENTERING THIS RAFFLE, EACH PARTICIPANT RELEASES COA, ITS DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS FROM ANY AND ALL LIABILITY FOR INJURIES, LOSSES OR DAMAGES OF ANY KIND CAUSED BY PARTICIPATING IN THE RAFFLE OR WINNING ANY PRIZE OR RESULTING FROM ACCEPTANCE, POSSESSION, USE OR MISUSE OF ANY PRIZE, AND THE WINNER AGREES TO INDEMNIFY AND HOLD COA, INCLUDING ITS DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS OR REPRESENTATIVES HARMLESS FROM ANY AND ALL LOSSES, DAMAGES, RIGHTS, CLAIMS AND ACTIONS OF ANY KIND ARISING IN CONNECTION WITH OR AS A RESULT OF PARTICIPATING IN THE RAFFLE OR THE WINNER'S ACCEPTANCE OR USE OF ANY PRIZE. EACH PARTICIPANT HEREBY WAIVES THE PROVISIONS OF CIVIL CODE SECTION 1542 WHICH STATES THE FOLLOWING: "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR".**

The Tiny House Winner assumes all fees, local, state and federal taxes which must be paid when the House is transferred to the winner. COA takes no responsibility for any tax liabilities. Consult your tax advisor. This offer is void where prohibited by law, and all federal, state and local laws and regulations apply. In addition the winner will be responsible for all representations or warranties regarding zoning requirements or other government or non-government conditions, restrictions or conveyance limiting the placement of use of the Tiny House.

**Tickets:**

Tickets are \$100 each. Only one method of payment, one name, and one mailing address are permitted per ticket. Only one eligible person may be entered in the raffle per ticket sold. If the name of more than one person is submitted with a ticket purchase, and that ticket is selected as a winning ticket, then the person named first will be deemed the holder of record of that ticket and declared the winner. Division of prize by a group purchasing a ticket in common shall be to the sole responsibility of the person named as the holder of record of that ticket, should that ticket be selected as a winner.

COA reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." All defective or physically altered entry forms will be immediately disqualified by COA. Prior to the Tiny House Drawing, COA may make a reasonable effort to notify the individual that submits such an entry form or one which has been rejected because the credit card or check did not clear that the entry has been rejected by attempting to make contact through the information provided at the time of submitting the purchase request. COA assumes no responsibility for lost, late, misdirected or non-delivered mail or fax messages, or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

**A RAFFLE PARTICIPANT'S SOLE AND EXCLUSIVE REMEDY FOR COA'S BREACH SHALL BE LIMITED TO THE RETURN OF THE PURCHASE PRICE PAID FOR HIS OR HER RAFFLE TICKET(S). IN NO EVENT SHALL COA, ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS OR REPRESENTATIVES BE LIABLE TO ANY PARTY FOR ANY LOSS OR INJURIES TO EARNINGS, PROFITS OR GOODWILL, OR FOR ANY INCIDENTAL, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES OF ANY PERSON OR ENTITY WHETHER ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.**

**How to Purchase:**

An individual can purchase as many tickets as he or she may wish, subject to availability.

To purchase tickets: You may mail in a request for tickets using the form provided on our website [www.councilonaging.com](http://www.councilonaging.com) to COA Tiny House Raffle, 30 Kawana Springs Rd, Santa Rosa, CA 95404 or call 707-525-0143 ext.146 providing your name, address, phone number along with your credit card number, credit card security code and expiration date. **Tickets cannot be purchased on the raffle website or by email.** Any entry form submitted by email will be rejected. All entries must include payment by check, money order or credit card. COA reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." No refunds will be made except under the following circumstances: any ticket order with payment received after 5,000 tickets have been sold or after Friday, June 30, 2017, will be returned. No other refunds are available except in the exclusive discretion of COA. COA assumes no responsibility for lost, late, misdirected or non-delivered mail or fax messages, or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

**Selection of Winners:**

The Council on Aging Services for Seniors Tiny House Raffle Grand Prize Drawing will be held on July 11, 2017 at 6:00 pm from all eligible raffle tickets. Winners need not be present to win. Drawing will be held under the

supervision of an independent raffle auditor. Winners will be notified according to the contact information provided to COA at the time of ticket purchase. The winner of the Tiny House will be posted on the Council on Aging website.

**Winning Odds:**

Approximately 1 in 5,000 chances to win a prize. The odds of winning a prize will depend on the number of tickets sold. If all 5,000 tickets are sold the odds of winning the Grand Prize is 1 in 5,000. If fewer tickets are sold, the chance of winning improves.

**Eligibility:**

Anyone 18 years of age or older and a U.S. resident physically residing in the United States and DC may enter. COA employees, members of the Board of Directors, authorized agents and employees thereof, consultants, attorneys, independent accountant firm, and their spouses and children living in the same household are excluded from participating and are not eligible to win a prize. All federal, state, and local laws and regulations apply. The raffle is void where prohibited or restricted by law. An affidavit of eligibility may be required from prize winners.

**The Tiny House:**

The Tiny House is being constructed by SunWest Tiny Homes. You can read more about SunWest Tiny Homes at website <http://www.sunwesttinyhomes.com/>. The pictures on the website will not reflect the final product.

**General Terms and Conditions:**

The Tiny House is provided “AS IS, WHERE IS, AND WITH ALL FAULTS”. COA DOES NOT PROVIDE ANY GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED, IN CONNECTION WITH THE HOUSE AND ACCEPTS NO LIABILITY OR RESPONSIBILITY REGARDING THE CONSTRUCTION OR CONDITION OF THE HOUSE. COA DOES NOT WARRANT THAT THE HOUSE IS OF MERCANTILE QUALITY OR THAT IT CAN BE USED FOR ANY PARTICULAR PURPOSE. NO EXPRESS WARRANTIES ARE GIVEN AND NO AFFIRMATION OF COA BY WORDS AND/OR ACTIONS WILL CONSTITUTE A WARRANTY.

ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THE CONTRACT, OR THE BREACH THEREOF, SHALL BE SETTLED BY BINDING ARBITRATION ADMINISTERED BY THE AMERICAN ARBITRATION ASSOCIATION (PURSUANT TO ITS EXPEDITED PROCEDURES) UNDER ITS COMMERCIAL ARBITRATION RULES, AND JUDGMENT ON THE AWARD RENDERED BY THE ARBITRATOR MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.

**Registration with the State of California:**

By letter from the Attorney General’s office, Council on Aging Services for Seniors has registered with the Department of Justice under Raffle Registration Number 4151. The official registration and financial information regarding Council on Aging Services for Seniors can be obtained from the Attorney General's

website [at [www.ag.ca.gov/charities](http://www.ag.ca.gov/charities)]. Registration does not imply endorsement and makes no representations or warranties regarding zoning requirements or other government or non-government conditions, restrictions or conveyance limiting the placement of use of the Tiny House.