

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 371
NATIONAL AFFORDABLE HOUSING ACT (HOME) PROGRAM

Section	
371.10	Statement of Authority
371.20	Incorporation By Reference
371.30	Definitions
371.40	Notification by Authority
371.50	Comments and Responses

AUTHORITY: Implements Title II of the National Affordable Housing Act of 1990, 42 USC 12701 et seq., as amended, and the regulations promulgated thereunder, 24 CFR Part 92; authorized by Sections 7.2, 7.19, 7.24(a) and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.2, 7.19, 7.24(a) and 7.25].

SOURCE: New Part adopted by emergency rule at 21 Ill. Reg. 5369, effective April 11, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 13346, effective September 17, 1997; amended at 23 Ill. Reg. 3952, effective March 22, 1999.

Section 371.10 Statement of Authority

The Illinois Housing Development Authority (Authority) has been designated the program administrator of the HOME Investment Partnerships Program (HOME Program) in Illinois, established pursuant to Title II of the National Affordable Housing Act of 1990, 42 U.S.C. 12701 et seq., as amended (HOME Act). This Part is created to govern the HOME Program. This Part is authorized by, and made pursuant to, the Comprehensive Housing Affordability Strategy of the State of Illinois and the Illinois Housing Development Act [20 ILCS 3805].

Section 371.20 Incorporation By Reference

The federal regulations promulgated under the HOME Act, 24 CFR Part 92 (HOME Regulations) (October 16, 1996) are hereby incorporated by reference. The full text of the HOME Regulations can be obtained from the Department of Housing and Urban Development, 451 7th St., SW, Washington, DC 20410.

Section 371.30 Definitions

"Applicant": A person or entity applying for an allocation of funds from the Program.

"Authority": The Illinois Housing Development Authority.

"Clearinghouse": A State, regional or metropolitan agency designated by the Governor or the Authority, or established by State law, to review and provide notice to appropriate State and local agencies of proposed housing projects.

"Federal HOME Act": Title II of the National Affordable Housing Act of 1990 (P.L. 101-165).

"Governor": The Governor of Illinois.

"Members": The Members of the Authority.

"Part": This Part 371.

"Program": The program established by the State pursuant to the Federal HOME Act and administered by the Authority in accordance with the provisions of this Part through which Federal HOME Program funds allocated to the State will be reallocated to eligible Recipients.

"Project": Site or sites, together with any building (including a manufactured housing unit), or buildings located on the sites(s) that are under common ownership, management, and financing and are to be assisted with Program funds as a single undertaking under this Part. Project includes all the activities associated with the site and building. For tenant-based rental assistance, Project means assistance to one or more families.

"Recipient": An individual or entity that receives Program funds for or on behalf of a Project from the Authority pursuant to a Commitment.

"State": The State of Illinois.

(Source: Added at 23 Ill. Reg. 3952, effective March 22, 1999)

Section 371.40 Notification by Authority

- a) Notice of Allocation. Prior to the presentation of an application to the Members, the Authority shall give written notice of the proposed allocation of Program funds to the following persons and agencies:
 - 1) The chairman of the county board of the county in which the Project is proposed to be located;

- 2) The mayor or other chief executive of the municipality in which the Project is proposed to be located;
 - 3) In municipalities with a population of more than 1.5 million, the alderman of the ward in which the Project is proposed to be located;
 - 4) Appropriate Clearinghouses;
 - 5) The United States Department of Housing and Urban Development;
 - 6) Rural Housing Service, an agency within the United States Department of Agriculture; and
 - 7) Each member of the General Assembly from the legislative district in which the Project is proposed to be located.
- b) Forms. Notice under this Section shall be made on forms prepared by the Authority.
- c) Contents. The notice shall set forth the name and address of the Applicant; the estimated amount of the proposed allocation; if applicable, the name and address of the proposed Project; the type of any proposed subsidies; the total number of units; and the type of Project (e.g., elderly, family, or handicapped).
- d) If the application does not request Program funds for a specific Project, the notice of allocation will be sent to the appropriate persons and agencies based on the address of the Applicant.

(Source: Added at 23 Ill. Reg. 3952, effective March 22, 1999)

Section 371.50 Comments and Responses

- a) Comments. The persons and agencies receiving notice pursuant to this Section shall have 30 days from the date of mailing to submit written comments to the Authority and the Applicant.
- b) Applicant's Response. The Applicant shall respond in writing to all comments received under Section 371.40 of this Part, as well as to any other written comments received by the Applicant, and shall provide copies of all comments and responses to the Authority.

- c) Consideration of Comments. The Members shall consider all comments received pursuant to Section 371.40 of this Part when making their determination.

(Source: Added at 23 Ill. Reg. 3952, effective March 22, 1999)