

and secondary preference has been given, to fill all the vacant units; or

(2) The owner has *not* adopted the secondary preferences and there are an insufficient number of families for whom elderly preference, and reserve preference has been given to fill all the vacant units.

(f) *Determination of insufficient number of applicants qualifying for preference.* To make a determination that there are an insufficient number of applicants who qualify for the preferences, including secondary preferences, provided by this section, the owner must:

(1) Conduct marketing in accordance with §884.214(a) to attract applicants qualifying for the preferences and reservation of units set forth in this section; and

(2) Make a good faith effort to lease to applicants who qualify for the preferences provided in this section, including taking all feasible actions to fill vacancies by renting to such families.

(g) *Prohibition of evictions.* An owner may not evict a tenant without good cause, or require that a tenant vacate a unit, in whole or in part because of any reservation or preference provided in this section, or because of any action taken by the Secretary pursuant to subtitle D (sections 651 through 661) of title VI of the Housing and Community Development Act of 1992 (42 U.S.C. 13611 through 13620).

[59 FR 65855, Dec. 21, 1994, as amended at 61 FR 9047, Mar. 6, 1996; 65 FR 16723, Mar. 29, 2000]

§ 884.224 HUD review of contract compliance.

HUD will review project operation at such intervals as it deems necessary to ensure that the Owner is in full compliance with the terms and conditions of the Contract. Equal Opportunity review may be conducted with the scheduled HUD review or at any time deemed appropriate by HUD.

§ 884.225 PHA reporting requirements. [Reserved]

PART 886—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—SPECIAL ALLOCATIONS

Subpart A—Additional Assistance Program for Projects With HUD-Insured and HUD-Held Mortgages

- Sec.
- 886.101 Applicability.
 - 886.102 Definitions.
 - 886.103 Allocation of Section 8 contract authority.
 - 886.104 Invitations to participate.
 - 886.105 Content of application; Disclosure.
 - 886.106 Notices.
 - 886.107 Approval of applications.
 - 886.108 Maximum annual contract commitment.
 - 886.109 Housing assistance payments to owners.
 - 886.110 Contract rents.
 - 886.111 Term of contract.
 - 886.111a Notice upon contract expiration.
 - 886.112 Rent adjustments.
 - 886.113 Physical condition standard; physical inspection requirements.
 - 886.114 Equal opportunity requirements.
 - 886.115 [Reserved]
 - 886.116 Security and utility deposits.
 - 886.117 [Reserved]
 - 886.118 Amount of housing assistance payments in projects receiving other HUD assistance.
 - 886.119 Responsibilities of the owner.
 - 886.120 Responsibility for contract administration.
 - 886.121 Marketing.
 - 886.122 [Reserved]
 - 886.123 Maintenance, operation and inspections.
 - 886.124 Reexamination of family income and composition.
 - 886.125 Overcrowded and underoccupied units.
 - 886.126 Adjustment of utility allowances.
 - 886.127 Lease requirements.
 - 886.128 Termination of tenancy.
 - 886.129 Leasing to eligible families.
 - 886.130 HUD review of contract compliance.
 - 886.131 Audit.
 - 886.132 Tenant selection.
 - 886.138 Displacement, relocation, and acquisition.

Subpart B [Reserved]

Subpart C—Section 8 Housing Assistance Program for the Disposition of HUD-Owned Projects

- 886.301 Purpose.