§ 1942.117 Economic feasibility requirements.

All projects financed under this section must be based on taxes, assessments, revenues, fees, or other satisfactory sources of revenues in an amount sufficient to provide for facility operation and maintenance, a reasonable reserve, and debt payment. An overall review of the applicant’s financial status, including a review of all assets and liabilities, will be a part of the docket review process by the FmHA or its successor agency under Public Law 103–354 staff and approval official. All applicants will be expected to provide a financial feasibility report. These financial feasibility reports will normally be:

(a) Included as part of the preliminary engineer/architectural report using guide 6 to subpart A of this part 1942.

(b) Prepared by the applicant using Form FmHA or its successor agency under Public Law 103–354 1942–54, “Applicant’s Feasibility Report.”

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§ 1942.117 General requirements.

(a) Reserve requirements. Loans under this subpart are subject to the provisions of § 1942.17 (i) of subpart A of this part 1942.

(b) Membership authorization. The membership of organizations other than public bodies must authorize the project and its financing except the District Director may, with the concurrence of the State Director (with advice of OGC as needed), accept the loan resolution without such membership authorization when State statutes and the organization charter and by-laws do not require such authorization.

(c) Insurance and bonding. Loans under this subpart are subject to the provisions of § 1942.17(j)(3) of subpart A of this part 1942.

(d) Acquisition of land and rights. Loans under this subpart are subject to the provisions of § 1942.17(j)(4) of subpart A of this part 1942.

(e) Lease agreements. Loans under this subpart are subject to the provisions of § 1942.17(j)(5) of subpart A of this part 1942.

§ 1942.115 Reasonable project costs.

Applicants are responsible for determining that prices paid for property rights, construction, equipment, and other project development are reasonable and fair. FmHA or its successor agency under Public Law 103–354 may require an appraisal by an independent appraiser or FmHA or its successor agency under Public Law 103–354 employee.

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