

(b) *HOME Investment Partnership Agreement*. The requirements regarding HOME Investment Partnership Agreements contained in §92.501 apply to the ADDI.

(c) *Program disbursement and information system*. The requirements regarding program disbursement and information systems contained in §92.502 apply to the ADDI.

(d) *Program income, repayments and recaptured funds*. The requirements regarding program income, repayments, and recaptured funds contained in §92.503 apply to the ADDI, except the program income and recaptured funds must be deposited in the participating jurisdiction's HOME investments trust fund local account and used in accordance with the HOME program requirements.

(e) *Participating jurisdiction responsibilities and written agreements*. The requirements regarding participating jurisdiction responsibilities and written agreements contained in §92.504 apply to the ADDI, with the modification that the written agreement is not required to cover any HOME requirement that is not applicable to the ADDI.

(f) *Applicability of uniform administrative requirements*. The uniform administrative requirements contained in §982.505 apply to the ADDI.

(g) *Audit*. The audit requirements contained in §92.506 apply to the ADDI.

(h) *Closeout*. The closeout requirements contained in §92.507 apply to the ADDI.

(i) *Recordkeeping*. The project records must include records demonstrating that the family qualifies as a first-time homebuyer. The recordkeeping requirements contained in §92.508 apply to the ADDI, with the exception of the following paragraphs:

- (1) Paragraph (a)(1);
- (2) Paragraphs (a)(2)(iv), (a)(2)(v), (a)(2)(vi), (a)(2)(xi), and (a)(2)(xii);
- (3) Paragraphs (a)(3)(vi), (a)(3)(vii), (a)(3)(viii), (a)(3)(ix), and (a)(3)(xiii);
- (4) Paragraph (a)(4);
- (5) Paragraphs (a)(7)(i)(B), (a)(7)(i)(C), (a)(7)(ii)(A), and (a)(7)(ix) (in addition, the requirements of paragraph (a)(7)(iv) apply to FY2003 ADDI funds only); and
- (6) Paragraphs (c)(1) and (c)(3) (in addition, the requirements of paragraph

(c)(5) apply to FY2003 ADDI funds only).

(j) *Performance reports*. The requirements regarding performance reports contained in §92.509 apply to the ADDI.

#### **§92.618 Performance reviews and sanctions.**

HUD will review the performance of participating jurisdictions in carrying out its responsibilities under the ADDI in accordance with the policies and procedures contained in subpart L of this part.

### **PART 93—HOUSING TRUST FUND**

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- 93.350 Other Federal requirements and non-discrimination; affirmative marketing.
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**Subpart I—Program Administration**

- 93.400 Housing Trust Fund (HTF) accounts.
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- 93.406 Audits.
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**Subpart J—Performance Reviews and Sanctions**

- 93.450 Accountability of recipients.
- 93.451 Performance reviews.
- 93.452 Corrective and remedial actions.
- 93.453 Notice and opportunity for hearing; sanctions.

AUTHORITY: 42 U.S.C. 3535(d), 12 U.S.C. 4568.

SOURCE: 80 FR 5220, Jan. 30, 2015, unless otherwise noted.

**Subpart A—General****§ 93.1 Overview.**

(a) This part implements the Housing Trust Fund (HTF) program established under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as amended (12 U.S.C. 4501 *et seq.*) (the Act). In general, under the HTF program, HUD allocates funds by formula to eligible States to increase and preserve the supply of de-

cent, safe, sanitary, and affordable housing, with primary attention to rental housing for extremely low-income and very low-income households, including homeless families.

(b) Section 1337 of the Act requires a percentage of the unpaid principal balance of total new business for the Federal Home Loan Mortgage Corporation (Freddie Mac) and the Federal National Mortgage Association (Fannie Mae) (collectively, the government-sponsored enterprises or GSEs) to be set-aside and allocated as a dedicated source of annual funding for the HTF, unless allocations are suspended by the Director of the Federal Housing Finance Agency, the agency that regulates the GSEs. These funds will be deposited into an HTF account established in the Treasury of the United States by the Secretary of the Treasury to carry out the HTF program. The Act also provides that the HTF may be funded with amounts appropriated, transferred, or credited to the HTF under other provisions of law.

**§ 93.2 Definitions.**

*1937 Act* means the United States Housing Act of 1937 (42 U.S.C. 1437 *et seq.*).

*Act* means the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as amended (12 U.S.C. 4501 *et seq.*).

*Annual income.* See § 93.151.

*Commitment* means:

(1) The grantee has executed a legally binding written agreement (that includes the date of the signature of each person signing the agreement) with an eligible recipient for a project that meets the definition of “commit to a specific local project” of paragraph (2) of this definition.

(2) “Commit to a specific local project” means:

(i) If the project consists of rehabilitation or new construction (with or without acquisition), the grantee and recipient have executed a written legally binding agreement under which HTF assistance will be provided to the recipient for an identifiable project for which construction can reasonably be expected to start within 12 months of