

character described in subsec. (a)(2) of this section which is covered by a mortgage insured under this section to include such community facilities, and property held by a mortgagor of the character described in subsec. (a)(3) of this section which is covered by a mortgage insured under this section to include such commercial and community facilities, as the Commissioner deems adequate to serve the occupants.

Subsec. (e). Pub. L. 86-372, §116(b), inserted reference to subsec. (k) of section 1710 of this title.

Subsec. (i). Pub. L. 86-372, §105(e), added subsec. (i).

1957—Subsec. (e). Pub. L. 85-104 substituted “(h), and (j) of section 1710 of this title” for “and (h) of section 1710 of this title”.

1956—Subsec. (a). Act Aug. 7, 1956, §105(a), struck out “or” at end of par. (1), inserted “or” at end of par. (2), added par. (3), and inserted “referred to in paragraphs (1) and (2) of this subsection” after “which corporations or trusts” in provisions following par. (3).

Subsec. (b)(2). Act Aug. 7, 1956, §105(b), substituted “50 per centum” for “65 per centum”, inserted for purposes of defining “veteran”; service from Apr. 6, 1917, to Nov. 12, 1918, substituted service prior to Feb. 1, 1955, for former provision leaving determination of date to President, and inserted provision authorizing Commissioner to increase dollar limits per room by not to exceed \$1,000 per room.

Subsec. (h). Act Aug. 7, 1956, §105(c), added subsec. (h).

1955—Subsec. (b)(1). Act Aug. 11, 1955, §102(c), increased from \$5,000,000 to \$12,500,000 the limitation on maximum amount of a mortgage.

Subsec. (b)(2). Act Aug. 11, 1955, §102(d), provided that maximum amount of a mortgage to be insured may be determined on basis of estimated replacement cost.

Subsec. (c). Act Aug. 11, 1955, §102(c), increased from \$5,000,000 to \$12,500,000 the limitation on maximum amount of a mortgage.

Subsec. (d). Act Aug. 11, 1955, §102(e), authorized mortgage insurance for structures consisting of eight or more family units.

1954—Subsec. (b)(1). Act Aug. 2, 1954, §119(a), permitted insured cooperative housing mortgages to be as high as \$25,000,000 in amount if the mortgagor cooperative is regulated or supervised by Federal or State law as to rents, charges, and methods of operations.

Subsec. (b)(2). Act Aug. 2, 1954, amended par. (2) generally, to:

1. Change, with respect to nonveteran projects, the per family or per room mortgage amount limitations from \$8,100 per family unit or \$1,800 per room, to \$2,250 per room and with a per family unit limitation of \$8,100 applicable only if the number of rooms is less than four;

2. Provide for changing from a cost basis to a valuation basis;

3. Change the basis for allowing increases for veteran membership so that in all cases such increases would be made only if 65 per cent of members are veterans, instead of making such increases on the basis of percentage allowances for percentage of veteran membership; and

4. Authorize an increase to the per room and per family mortgage amount limitation for elevator-type structures.

Subsec. (c)(1). Act Aug. 2, 1954, §119(b), with respect to the reference to section 1709(b)(2) of this title, struck out the reference to “paragraph (A), paragraph (C), or paragraph (D)” of the section, the paragraph designations having been struck out by another section of the same act.

Subsec. (f). Act Aug. 2, 1954, §120, struck out sentence providing for the appointment of an Assistant Commissioner.

1953—Subsec. (d). Act June 30, 1953, substituted, in first sentence, “4½ per centum per annum, except that individual mortgages insured pursuant to this subsection covering the individual dwellings in the project may bear interest at not to exceed 5 per centum per annum,” for “4 per centum per annum”.

1951—Subsec. (b)(2). Act Oct. 26, 1951, struck out “of World War II” wherever appearing and inserted proviso thus making section applicable to veterans of Korean war.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1983 AMENDMENT

For effective date of amendment by section 423(b)(2) of Pub. L. 98-181, see section 423(c) of Pub. L. 98-181, set out as a note under section 1709 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 371 of Pub. L. 97-35, set out as an Effective Date note under section 3701 of this title.

IMPLEMENTATION OF 1982 AMENDMENT

Amendment by Pub. L. 97-253 to be implemented only if the Secretary determines that the program of advance payment of insurance premiums, considering the effect of said amendment, is actuarially sound, see section 201(g) of Pub. L. 97-253, set out as a note under section 1709 of this title.

REPEALS

The directory language of, but not the amendment made by, Pub. L. 90-301, §3(c), May 7, 1968, 82 Stat. 114, cited as a credit to this section, was repealed by Pub. L. 98-181, title I [title IV, §404(a)], Nov. 30, 1983, 97 Stat. 1208.

SPECIAL ASSISTANT FOR COOPERATIVE HOUSING

Act Aug. 11, 1955, ch. 783, title I, §102(h), 69 Stat. 636, as amended by Pub. L. 89-754, title X §1020(h), Nov. 3, 1966, 80 Stat. 1296; Pub. L. 94-375, §18, Aug. 3, 1976, 90 Stat. 1077, provided that: “In the performance of, and with respect to, the functions, powers, and duties vested in him by section 213 of the National Housing Act [this section], section 221(d)(3), section 235, section 236, section 241, section 243, section 246, and section 203(n) of the National Housing Act [sections 1715(d)(3), 1715z, 1715z-1, 1715z-6, 1715z-8, 1715z-11, and 1709(n) of this title], and section 101 of the Housing and Urban Development Act of 1965 [section 1701s of this title] or section 8 of the United States Housing Act of 1937 [section 1437f of Title 42, The Public Health and Welfare] (insofar as the provisions of such sections relate to cooperative housing), the Secretary of Housing and Urban Development, notwithstanding the provisions of any other law, shall appoint a Special Assistant for Cooperative Housing, and provide the Special Assistant with adequate staff, whose sole responsibility will be to expedite operations under such sections and to eliminate obstacles to the full utilization of such sections under the direction and supervision of the Commissioner and Assistant Secretary for Housing Management. The person so appointed shall be fully sympathetic with the purposes of such sections.”

AMENDMENTS TO PROVISIONS FOR FAMILY UNIT LIMITS ON RENTAL HOUSING; EQUITABLE APPLICATION OF SUCH AMENDMENTS OR PRE-AMENDMENT PROVISIONS TO PROJECTS SUBMITTED FOR CONSIDERATION PRIOR TO SEPTEMBER 2, 1964

Equitable application of amendment to subsec. (b)(2) of this section by section 107(b) of Pub. L. 88-560 or pre-amendment provisions to projects submitted for consideration prior to Sept. 2, 1964, see section 107(g) of Pub. L. 88-560, set out as a note under section 1713 of this title.

§ 1715f. Process of applications and issuance of commitments

The Secretary is authorized to process applications and issue commitments with respect to insurance of mortgages under section 1706c of

this title and subchapter II, VI, VIII, or X of this chapter, even though the permanent mortgage financing may not be insured under this chapter, and in the event the mortgage is not so insured the Secretary is authorized to charge an additional application fee determined by him to be reasonable. The Secretary is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section.

(June 27, 1934, ch. 847, title II, §215, as added Apr. 20, 1950, ch. 94, title I, §115, 64 Stat. 56; amended Sept. 1, 1951, ch. 378, title II, §204, 65 Stat. 303; Pub. L. 90-19, §1(a)(3), May 25, 1967, 81 Stat. 17.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act June 27, 1934, ch. 847, 48 Stat. 1246, which is classified principally to this chapter (§1701 et seq.). For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1967—Pub. L. 90-19 substituted “Secretary” for “Commissioner” wherever appearing.

1951—Act Sept. 1, 1951, inserted a reference to subchapter X of this chapter.

§ 1715g. Insurance of mortgage where mortgagor is not occupant of property

The Secretary is hereby authorized to insure any mortgage otherwise eligible for insurance under any of the provisions of this chapter without regard to any requirement with respect to the occupancy of the mortgagor of the property at the time of insurance, where the Secretary is satisfied that the inability of the mortgagor to meet such requirement is by reason of his entry on active duty in a uniformed service subsequent to the filing of an application for insurance and the mortgagor expresses an intent to meet such requirement upon his release from active duty.

(June 27, 1934, ch. 847, title II, §216, as added Sept. 1, 1951, ch. 378, title VI, §607, 65 Stat. 315; amended Pub. L. 90-19, §1(a)(3), May 25, 1967, 81 Stat. 17; Pub. L. 91-621, §7(a), Dec. 31, 1970, 84 Stat. 1865; Pub. L. 100-242, title IV, §406(b)(8), Feb. 5, 1988, 101 Stat. 1901.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act June 27, 1934, ch. 847, 48 Stat. 1246, which is classified principally to this chapter (§1701 et seq.). For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1988—Pub. L. 100-242 substituted “with respect to the occupancy of the mortgagor” for “that the mortgagor be the occupant” and “meet such requirement” for “occupy the property” wherever appearing.

1970—Pub. L. 91-621 substituted “on active duty in a uniformed service” and “release from active duty” for “into military service” and “discharge from military service”.

1967—Pub. L. 90-19 substituted “Secretary” for “Commissioner” wherever appearing.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-242 applicable only with respect to mortgages insured pursuant to conditional commitment issued on or after Feb. 5, 1988, or in accordance with direct endorsement program (24 CFR 200.163), if approved underwriter of mortgagee signs appraisal report for property on or after Feb. 5, 1988, see section 406(d) of Pub. L. 100-242, set out as a note under section 1709 of this title.

§ 1715h. Repealed. Pub. L. 100-242, title IV, § 401(a)(1), Feb. 5, 1988, 101 Stat. 1898

Section, act June 27, 1934, ch. 847, title II, §217, as added Sept. 1, 1951, ch. 378, title VI, §607, 65 Stat. 315; amended July 14, 1952, ch. 723, §2, 66 Stat. 601; June 30, 1953, ch. 170, §7, 67 Stat. 123; Aug. 2, 1954, ch. 649, title I, §121, 68 Stat. 596; Mar. 11, 1955, ch. 10, 69 Stat. 11; Aug. 11, 1955, ch. 783, title I, §102(f), 69 Stat. 636; Aug. 7, 1956, ch. 1029, title I, §106, 70 Stat. 1094; June 4, 1958, Pub. L. 85-442, 72 Stat. 176; Sept. 23, 1959, Pub. L. 86-372, title I, §107, 73 Stat. 657; May 25, 1961, Pub. L. 87-38, 75 Stat. 85; June 30, 1961, Pub. L. 87-70, title VI, §604(c), 75 Stat. 177; Aug. 10, 1965, Pub. L. 89-117, title II, §202(b), 79 Stat. 465; Sept. 30, 1969, Pub. L. 91-78, §2(b), 83 Stat. 125; Dec. 24, 1969, Pub. L. 91-152, title I, §101(b), 83 Stat. 379; Oct. 2, 1970, Pub. L. 91-432, §1(b), 84 Stat. 887; Oct. 21, 1970, Pub. L. 91-473, §1(b), 84 Stat. 1064; Dec. 1, 1970, Pub. L. 91-525, §1(b), 84 Stat. 1384; Dec. 31, 1970, Pub. L. 91-609, title I, §101(b), 84 Stat. 1770; Oct. 18, 1972, Pub. L. 92-503, §1(b), 86 Stat. 906; Aug. 10, 1973, Pub. L. 93-85, §1(b), 87 Stat. 220; Oct. 2, 1973, Pub. L. 93-117, §1(b), 87 Stat. 421; Aug. 22, 1974, Pub. L. 93-383, title III, §316(b), 88 Stat. 685; June 30, 1977, Pub. L. 95-60, §1(b), 91 Stat. 257; July 31, 1977, Pub. L. 95-80, §1(b), 91 Stat. 339; Oct. 12, 1977, Pub. L. 95-128, title III, §301(b), 91 Stat. 1131; Sept. 30, 1978, Pub. L. 95-406, §1(b), 92 Stat. 879; Oct. 31, 1978, Pub. L. 95-557, title III, §301(b), 92 Stat. 2096; Sept. 28, 1979, Pub. L. 96-71, §1(b), 93 Stat. 501; Nov. 8, 1979, Pub. L. 96-105, §1(b), 93 Stat. 794; Dec. 21, 1979, Pub. L. 96-153, title III, §301(b), 93 Stat. 1111; Oct. 3, 1980, Pub. L. 96-372, §1(b), 94 Stat. 1363; Oct. 8, 1980, Pub. L. 96-399, title III, §301(b), 94 Stat. 1638; Aug. 13, 1981, Pub. L. 97-35, title III, §331(b), 95 Stat. 412; Oct. 6, 1982, Pub. L. 97-289, §1(b), 96 Stat. 1230; May 26, 1983, Pub. L. 98-35, §1(b), 97 Stat. 197; Oct. 1, 1983, Pub. L. 98-109, §1(b), 97 Stat. 745; Nov. 30, 1983, Pub. L. 98-181, title I [title IV, §401(b)], 97 Stat. 1207; Oct. 17, 1984, Pub. L. 98-479, title II, §204(a)(5), 98 Stat. 2232; Oct. 8, 1985, Pub. L. 99-120, §1(b), 99 Stat. 502; Nov. 15, 1985, Pub. L. 99-156, §1(b), 99 Stat. 815; Dec. 26, 1985, Pub. L. 99-219, §1(b), 99 Stat. 1730; Mar. 27, 1986, Pub. L. 99-267, §1(b), 100 Stat. 73; Apr. 7, 1986, Pub. L. 99-272, title III, §3007(b), 100 Stat. 104; May 2, 1986, Pub. L. 99-289, §1(b), 100 Stat. 412; June 24, 1986, Pub. L. 99-345, §1, 100 Stat. 673; Sept. 30, 1986, Pub. L. 99-430, 100 Stat. 986; Sept. 30, 1987, Pub. L. 100-122, §1, 101 Stat. 793; Nov. 5, 1987, Pub. L. 100-154, 101 Stat. 890; Nov. 17, 1987, Pub. L. 100-170, 101 Stat. 914; Dec. 3, 1987, Pub. L. 100-179, 101 Stat. 1018; Dec. 21, 1987, Pub. L. 100-200, 101 Stat. 1327, prohibited (except with respect to insurance of a loan or mortgage pursuant to section 1703, 1715f, 1715z, 1715z-1, 1715z-9, or 1715z-10 of this title or subchapter VIII, IX-A, or IX-B of this chapter (subject to any limitations thereunder on the time of such insurance)) the insurance of any loan or mortgage under this chapter after Mar. 15, 1988, except pursuant to a commitment to insure before such date.

§ 1715i. Repealed. Pub. L. 86-372, title I, § 108, Sept. 23, 1959, 73 Stat. 657

Section, act June 27, 1934, ch. 847, title II, §218, as added July 14, 1952, ch. 723, §8, 66 Stat. 603, authorized a credit for application fees paid in cases where an application for mortgage insurance under section 1743 of this title was received on or before March 1, 1950, and the mortgagee applied for insurance of a mortgage under section 1713 of this title with respect to the same property or project.