

## § 1930.129

This supervision will be continued to assure that the grant purposes will be accomplished. Comments on the following points will be included in appropriate reports, to assure that:

- (a) The rents are reasonable.
- (b) The project is operated as a community service for the benefit of the tenants.
- (c) Domestic farm laborers are given absolute priority in occupancy. (This requirement also applies to borrowers who have LH loans only.)
- (d) No public or private nonprofit organization borrower may require that an occupant work for a particular farm or for a particular owner or interest as a condition of occupancy of the housing.

### § 1930.129 RHS loans.

RHS loans will be serviced according to program regulations and the conditions specified in the borrower's loan resolution. The following additional supervisory action by the Servicing Official will also apply to assure that the terms of the loan resolution and loan objectives are carried out:

- (a) Review of the site development account records for compliance with authorized loan expenditures.
- (b) Work with the borrower on the adjustment of sales price, not to exceed market value, of the developed lots as they are being sold to assure adequate income to repay the loan, pay taxes, accrued interest, and any other authorized debt or expenditures.
- (c) Determine that lots are sold only to eligible buyers.
- (d) Work closely with the borrower to plan for the sale of all lots prior to the due date of the note.
- (e) Should the RHS borrower default in its loan obligations, the account will be serviced according to §1965.85 of subpart B of part 1965 of this chapter. The Servicing Official's report to the State Director should contain the following information:
  - (1) The status of the account, number of lots unsold, and reasons for the problem.
  - (2) Prospects of selling lots to eligible buyers and a target date as to when this can be accomplished, if feasible.
  - (3) General comments and recommendations for future servicing of

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this account. Where necessary, liquidation may be recommended.

(f) State Directors will take the following actions in connection with problem RHS accounts:

- (1) Provide additional guidance and assistance as necessary.
- (2) If a satisfactory proposal for selling the lots can be developed, the account will be serviced according to program regulations and the provisions of this subpart and subpart B of part 1965 of this chapter.
- (3) Where no satisfactory proposal for selling the remaining lots can be developed, the account will be handled according to §1965.85(e) of subpart B of part 1965 of this chapter for liquidation.

### §§ 1930.130-1930.133 [Reserved]

### § 1930.134 FmHA or its successor agency under Public Law 103-354 office records.

FmHA or its successor agency under Public Law 103-354 officials will maintain records in accordance with FmHA or its successor agency under Public Law 103-354 Instructions 2033-A and G (available in any FmHA or its successor agency under Public Law 103-354 office).

### §§ 1930.135-1930.136 [Reserved]

### § 1930.137 State Supplements, guides, forms, and other issuances.

It is FmHA or its successor agency under Public Law 103-354's practice to follow the provisions of the Administrative Procedures Act by inviting public comment before adopting public policy, unless otherwise directed by statute. However, the State Director may, in accordance with FmHA or its successor agency under Public Law 103-354 Instruction 2006-B (available in any FmHA or its successor agency under Public Law 103-354 office), and with prior approval of the National Office and the assistance of the OGC, develop State Supplements, guides, or issuances to the extent necessary to enable borrowers to comply with the policies, procedures, and exhibits of

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this subpart and the applicable provisions of State laws. Under no circumstances will State forms be developed as replacements for the forms referred to in this subpart.

### § 1930.138 Supervisory actions for distressed projects.

MFH projects experiencing high vacancy rates which would lead to project failure can apply for a special servicing market rate rent change in accordance with paragraph IX of exhibit C of this subpart.

### §§ 1930.139–1930.140 [Reserved]

### § 1930.141 Materials to be provided borrower/applicant.

To enable borrowers and applicants to meet the intent of this subpart, they will be supplied with one reproducible copy of the following FmHA or its successor agency under Public Law 103-354 exhibits and forms and materials as they are issued and/or updated:

- (a) Exhibits B and B-1 thru 14 of this subpart, when applicable.
- (b) Exhibits C, C-1, and C-2 of this subpart.
- (c) Exhibits D and D-1 of this subpart.
- (d) Exhibit E of this subpart.
- (e) Exhibits H and H-1 of this subpart.
- (f) Exhibit I of this subpart.
- (g) Exhibit J of this subpart, when applicable.
- (h) Subpart L of part 1944 of this chapter.
- (i) Booklet entitled “Audit Program.”
- (j) For farm LH borrowers and/or applicants, exhibit B of subpart D of part 1944 of this chapter in addition to the preceding items of this section.
- (k) The following forms:
  - (1) Form FmHA or its successor agency under Public Law 103-354 1930-7 and attached exhibit A-6 of subpart E of part 1944, if applicable.
  - (2) Form FmHA or its successor agency under Public Law 103-354 1930-8.
  - (3) Form FmHA or its successor agency under Public Law 103-354 1944-7, “Multiple Family Housing Interest Credit and Rental Assistance Agreement.”
  - (4) Form FmHA or its successor agency under Public Law 103-354 1944-29,

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“Project Worksheet for Interest Credit and Rental Assistance.”

(5) Form FmHA or its successor agency under Public Law 103-354 1944-8.

(6) Form FmHA or its successor agency under Public Law 103-354 1910-5, “Request for Verification of Employment.”

### § 1930.142 Complaints regarding discrimination in use and occupancy of MFH.

Any tenant or prospective tenant seeking occupancy or use of RRH, RCH, LH, or related facilities who believes he or she has been discriminated against because of race, color, religion, sex, national origin, age, familial status, or handicap may file a complaint in person with, or by mail to the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development (HUD), Washington, DC 20410, or any HUD office, or to the Administrator, FmHA or its successor agency under Public Law 103-354, USDA, Washington, DC 20250. If the complaint is made to an FmHA or its successor agency under Public Law 103-354 County, Servicing, or State Office, it must be directed to the Director of Equal Opportunity Staff (EOS), National Office by the FmHA or its successor agency under Public Law 103-354 employee in charge of that office. When a complaint is sent to FmHA or its successor agency under Public Law 103-354-EOS by a FmHA or its successor agency under Public Law 103-354 Servicing Office, the State Director will be made aware of the complaint.

(a) Personnel in FmHA or its successor agency under Public Law 103-354 field offices will provide assistance to the aggrieved party when filling out required forms and filing a complaint.

(b) Each complaint must contain the following information:

- (1) The name and address of the respondent (complainant).
- (2) The name and address of the aggrieved person.
- (3) A description and the address of the dwelling which is involved, if appropriate.
- (4) A concise statement of the facts, including pertinent dates, constituting the alleged discriminatory housing practice.