

cards which are used in advertising nor in advertising of a classified type which is less than one column in print wide and is less than five inches long.

(d) A developer who is required by any state, or states, to display an advertising disclaimer in the same location, or one of equal prominence, as that of the federal disclaimer, may combine the wording of the disclaimers. All of the wording of the federal disclaimer must be included in the resulting combined disclaimer.

PART 1720—FORMAL PROCEDURES AND RULES OF PRACTICE

Subpart A—Rules and Rulemaking

Sec.

- 1720.1 Scope of rules in this subpart.
- 1720.5 Initiation of rulemaking.
- 1720.10 Investigations and conferences.
- 1720.15 Notice.
- 1720.20 Promulgation of rules and regulations.
- 1720.25 Effective date of rules and regulations.

Subpart B—Filing Assistance

- 1720.30 Scope of this subpart.
- 1720.35 Prefiling assistance.
- 1720.40 Processing of filings.

Subpart C [Reserved]

Subpart D—Adjudicatory Proceedings

GENERAL PROVISIONS

- 1720.105 Scope of rules in this subpart.
- 1720.110 Applicability of sections of this subpart.
- 1720.115 Department representative.
- 1720.120 Qualification for appearances.
- 1720.125 Public nature and timing of hearings.
- 1720.130 Restrictions on appearances as to former officers and employees.
- 1720.135 Standards of practice.
- 1720.140 Administrative law judge, powers and duties.
- 1720.145 Disqualification of administrative law judge.
- 1720.150 Failure to comply with administrative law judge's directions.
- 1720.155 Ex parte communications.
- 1720.160 Form and filing requirements.
- 1720.165 Time computation.
- 1720.170 Service.
- 1720.175 Intervention by interested persons.
- 1720.180 Settlements.

PLEADINGS

- 1720.205 Suspension notice under § 1710.45(a) of this chapter.
- 1720.210 Hearings—suspension notice pursuant to § 1710.45(a) of this chapter.
- 1720.215 Notice of proceedings pursuant to § 1710.45(b)(1) of this chapter.
- 1720.220 Hearings—notice of proceedings pursuant to § 1710.45(b)(1) of this chapter.
- 1720.225 Suspension order under § 1710.45(b)(2) of this chapter.
- 1720.230 Suspension order under § 1710.45(b)(3) of this chapter.
- 1720.235 Hearings—suspension orders issued pursuant to §§ 1710.45(b)(2) and 1710.45(b)(3) of this chapter.
- 1720.236 Notice of proceedings to withdraw a State's certification pursuant to § 1710.505 of this chapter.
- 1720.237 Hearings—notice of proceedings pursuant to § 1710.505 of this chapter.
- 1720.238 Notices of proceedings to terminate exemptions pursuant to §§ 1710.14, 1710.15 and 1710.16 of this chapter.
- 1720.239 Hearings—notice of proceedings pursuant to §§ 1710.14, 1710.15 and 1710.16 of this chapter.
- 1720.240 Time for filing answer.
- 1720.245 Content of answer.
- 1720.250 Presumption of hearing request.
- 1720.255 Amendments and supplemental pleadings.
- 1720.260 Prehearing conferences.
- 1720.265 Reporting—prehearing conferences.

MOTIONS

- 1720.305 Motions—filing requirements.
- 1720.310 Answers to motions.
- 1720.315 Motions for more definite statement.
- 1720.320 Motions for extension of time.
- 1720.325 Motions for dismissal.
- 1720.330 Motions to limit or quash.
- 1720.335 Consolidation.

DISCOVERY AND EVIDENCE

- 1720.405 Depositions and discovery.
- 1720.410 Subpoenas ad testificandum.
- 1720.415 Subpoenas duces tecum.
- 1720.420 Rulings on applications for compulsory process; appeals.
- 1720.425 Presentation and admission of evidence.
- 1720.430 Production of witnesses' statements.
- 1720.435 Official notice.

HEARINGS

- 1720.505 Interlocutory review of administrative law judge's decision.
- 1720.510 Reporting and transcription.
- 1720.515 Corrections.
- 1720.520 Proposed findings, conclusions, and order.
- 1720.525 Decision of administrative law judge.

§ 1720.1

- 1720.530 Decision of administrative law judge—content.
1720.535 Reopening of proceeding; termination of jurisdiction.

APPEALS

- 1720.605 Appeal from decision of administrative law judge.
1720.610 Answering brief.
1720.615 Reply brief.
1720.620 Length and form of briefs.
1720.625 Oral argument.
1720.630 Decision on appeal or review.
1720.635 Appeals officer.

AUTHORITY: 15 U.S.C. 1718; 42 U.S.C. 3535(d).

SOURCE: 43 FR 29496, July 7, 1978, unless otherwise noted.

Subpart A—Rules and Rulemaking

§ 1720.1 Scope of rules in this subpart.

The rules in this subpart apply to and govern procedures for the promulgation of rules and regulations under the Act. The rules in this subpart do not apply to interpretative rules, general statements of policy, rules of organization procedure or practice or in any situation in which the Secretary for good cause finds (and incorporates the findings and brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

§ 1720.5 Initiation of rulemaking.

(a) The issuance, amendment or repeal of any rule or regulation may be proposed upon the initiative of the Secretary or upon the petition of any interested person showing reasonable grounds therefor.

(b) Petitions for rulemaking by interested persons filed under this section:

- (1) Shall be identified as a petition for rulemaking under this subpart;
- (2) Shall explain the interest of the petitioner in the action requested;
- (3) Shall set forth the text or substance of the rule or amendment proposed or specify the rule that the petitioner seeks to have repealed, as the case may be;
- (4) Shall contain any information and arguments available to the petitioner to support the action sought; and
- (5) Shall be filed with the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban

24 CFR Ch. X (4–1–04 Edition)

Development, Room 5218, 451 Seventh Street SW., Washington, DC 20410.

(c) The Secretary shall respond to a petition submitted under this section within 180 days of receipt thereof, except that this time limit may be exceeded for good cause found and communicated to the petitioner. The Secretary's normal response shall be to grant or deny the petition but alternatively, the Secretary may schedule a public hearing or other appropriate proceeding prior to the granting or denial of a petition. If the Secretary grants the petition, the Secretary shall publish a proposed rule in accordance with the petition and a copy of the proposed rule shall be furnished to the petitioner. If the Secretary denies the petition, the Secretary shall notify the petitioner within 7 days after such denial.

§ 1720.10 Investigations and conferences.

(a) In connection with a rulemaking proceeding, the Secretary may conduct such investigations, make such studies, and hold such conferences as are necessary. Investigations in connection with a rulemaking may be conducted in accordance with the general investigatory procedures under part 3800 of this chapter.

(b) At any such conferences, interested persons may appear to express views and suggest amendments relative to proposed rules.

[61 FR 10442, Mar. 13, 1996]

§ 1720.15 Notice.

General notice of proposed rulemaking shall be published in the FEDERAL REGISTER and, to the extent practicable, otherwise made available to interested persons. Such notice shall state the time, place, and nature of public hearings, if any; the authority under which the rule or regulation is proposed; either the terms or substance of the proposed rule or regulation or a description of the subjects and issues involved; and the manner in which interested persons shall be afforded the opportunity to participate in the rulemaking. If the rulemaking was instituted pursuant to petition, a copy of the notice shall be served on the petitioner.