

(i) All the representations and warranties of the PHA, as submitted in accordance with this subpart, continue to be valid, true, and in full force and effect;

(ii) The PHA is in full compliance with all of the PHA's obligations pursuant to this part which, by their terms, are applicable at the time of the drawdown of the public housing development funds, and that to the best of the PHA's knowledge, it is not in default under the ACC, as amended;

(iii) All conditions precedent to the PHA's authority to draw down the public housing grant funds have been satisfied;

(iv) The public housing grant funds to be drawn down will be used for eligible costs actually incurred or to be incurred in accordance with the provisions of this subpart and the approved proposal; and

(v) The ratio for the draw down of funds is satisfied.

(c) The standard drawdown requirements set forth in paragraph (b) of this section (including the requirement that public housing development funds must be drawn down in an approved ratio to other public and private funds) do not apply to front-end assistance approved by HUD pursuant to paragraph (a) of this section.

#### § 941.614 HUD monitoring and review.

HUD shall monitor and review the implementation of the PHA's approved proposal in accordance with requirements prescribed by HUD in a special mixed-finance amendment to the ACC (and/or grant agreement).

#### § 941.616 Sanctions.

In the event the public housing units that are proposed to be developed under this subpart are not developed in accordance with the projected development schedule, the approved proposal, and all applicable Federal requirements, or if the units are not operated in accordance with applicable requirements, HUD may impose sanctions on the PHA, and/or seek legal and equitable relief, in accordance with requirements prescribed by HUD in the special mixed-finance amendment to the ACC (and/or grant agreement).

## PART 943—PUBLIC HOUSING AGENCY CONSORTIA AND JOINT VENTURES

### Subpart A—General

Sec.

943.100 What is the purpose of this part?

### Subpart B—Consortia

943.115 What programs are covered under this subpart?

943.118 What is a consortium?

943.120 What programs of a PHA are included in a consortium's functions?

943.122 How is a consortium organized?

943.124 What elements must a consortium agreement contain?

943.126 What is the relationship between HUD and a consortium?

943.128 How does a consortium carry out planning and reporting functions?

943.130 What are the responsibilities of participating PHAs?

### Subpart C—Subsidiaries, Affiliates, Joint Ventures in Public Housing

943.140 What programs and activities are covered by this subpart?

943.142 In what types of operating organizations may a PHA participate?

943.144 What financial impact do operations of a subsidiary, affiliate, or joint venture have on a PHA?

943.146 What impact does the use of a subsidiary, affiliate, or joint venture have on financial accountability to HUD and the Federal government?

943.148 What procurement standards apply to PHAs selecting partners for a joint venture?

943.150 What procurement standards apply to a PHA's joint venture partner?

943.151 What procurement standards apply to a joint venture itself?

AUTHORITY: 42 U.S.C. 1437k and 3535(d).

SOURCE: 65 FR 71207, Nov. 29, 2000, unless otherwise noted.

### Subpart A—General

#### § 943.100 What is the purpose of this part?

This part authorizes public housing agencies (PHAs) to form consortia, joint ventures, affiliates, subsidiaries, partnerships, and other business arrangements under section 13 of the United States Housing Act of 1937 (42 U.S.C. 1437k). Under this authority, PHAs participating in a consortium