

(1) The plan provides all the information that is required to be included in the plan;

(2) The plan is consistent with the information and data available to HUD and with any applicable Consolidated Plan for the jurisdiction in which the PHA is located; and

(3) The plan is not prohibited or inconsistent with the U.S. Housing Act of 1937 or any other applicable Federal law.

(b) *Disapproval of the plan.* (1) HUD may disapprove a PHA plan, in its entirety or with respect to any part, or disapprove any amendment or modification to the plan, only if HUD determines that the plan, or one of its components or elements, or any amendment or modification to the plan:

(i) Does not provide all the information that is required to be included in the plan;

(ii) Is not consistent with the information and data available to HUD or with any applicable Consolidated Plan for the jurisdiction in which the PHA is located; and

(iii) Is not consistent with all applicable laws and regulations.

(2) Not later than 75 days after the date on which the PHA submits its plan, or the date on which the PHA submits its amendment or modification to the plan, HUD will issue written notice to the PHA if the plan has been disapproved. The notice that HUD issues to the PHA must state with specificity the reasons for the disapproval. HUD may not state as a reason for disapproval the lack of time to review the plan.

(3) If HUD fails to issue the notice of disapproval on or before the 75th day after the PHA submits the plan, HUD shall be considered to have determined that all elements or components of the plan required to be submitted and that were submitted, and reviewed by HUD were in compliance with applicable requirements and the plan has been approved.

(d) *Public availability of the approved plan.* Once a PHA's plan has been approved, a PHA must make its approved plan available for review and inspection, at the principal office of the PHA during normal business hours.

§ 903.25 How does HUD ensure PHA compliance with its plan?

A PHA must comply with the rules, standards and policies established in the plans. To ensure that a PHA is in compliance with all policies, rules, and standards adopted in the plan approved by HUD, HUD shall respond appropriately to any complaint concerning PHA noncompliance with its plan. If HUD determines that a PHA is not in compliance with its plan, HUD will take necessary and appropriate action to ensure compliance by the PHA.

PART 904—LOW RENT HOUSING HOMEOWNERSHIP OPPORTUNITIES

Subpart A—Introduction to Low-Rent Housing Homeownership Opportunity Program [Reserved]

Subpart B—Turnkey III Program Description

Sec.

- 904.101 Introduction.
- 904.102 Definitions.
- 904.103 Development.
- 904.104 Eligibility and selection of homebuyers.
- 904.105 Counseling of homebuyers.
- 904.106 Homebuyers Association (HBA).
- 904.107 Responsibilities of homebuyer.
- 904.108 Break-even amount.
- 904.109 Monthly operating expense.
- 904.110 Earned Home Payments Account. (EHPA)
- 904.111 Nonroutine Maintenance Reserve (NRMR).
- 904.112 Operating reserve.
- 904.113 Achievement of ownership by initial homebuyer.
- 904.114 Payment upon resale at profit.
- 904.115 Achievement of ownership by subsequent homebuyers.
- 904.116 Transfer of title to homebuyer.
- 904.117 Responsibilities of homebuyer after acquisition of ownership.
- 904.118 Homeowners association-planned unit development (PUD).
- 904.119 Homeowners association-condominium.
- 904.120 Relationship of homeowners association to HBA.
- 904.121 Use of appendices.
- 904.122 Statutory preferences.

APPENDIX I—ANNUAL CONTRIBUTIONS CONTRACT

APPENDIX II—HOMEBUYERS OWNERSHIP OPPORTUNITY AGREEMENT (TURNKEY III)

APPENDIX III—CERTIFICATION OF HOMEBUYER STATUS