

could be made or insured with respect to the individual dwelling units in the project under subsection (a).

**(d) "Condominium" defined**

As used in this section, the term "condominium" means a multi-unit housing project which is subject to a plan of family unit ownership acceptable to the Secretary under which each dwelling unit is individually owned and each such owner holds an undivided interest in the common areas and facilities which serve the project.

(July 15, 1949, ch. 338, title V, § 526, as added Pub. L. 93-383, title V, § 516(a), Aug. 22, 1974, 88 Stat. 698; amended Pub. L. 98-181, title I [title V, § 519(a)], Nov. 30, 1983, 97 Stat. 1249; Pub. L. 100-242, title III, § 316(f), Feb. 5, 1988, 101 Stat. 1898.)

AMENDMENTS

1988—Subsecs. (a), (c). Pub. L. 100-242 struck out "and" after "is authorized."

1983—Subsecs. (a), (c). Pub. L. 98-181 struck out "in his discretion" after "Secretary is authorized."

**§ 1490g. Repealed. Pub. L. 98-181, title I [title V, § 503(c)], Nov. 30, 1983, 97 Stat. 1241**

Section, act July 15, 1949, ch. 338, title V, § 527, as added Aug. 22, 1974, Pub. L. 93-383, title V, § 518, 88 Stat. 699, defined "housing" as including mobile homes and mobile home sites, and authorized the Secretary to prescribe property standards for mobile homes financed under this subchapter.

**§ 1490h. Taxation of property held by Secretary**

All property subject to a lien held by the United States or the title to which is acquired or held by the Secretary under this subchapter other than property used for administrative purposes shall be subject to taxation by a State, Commonwealth, territory, possession, district, and local political subdivisions in the same manner and to the same extent as other property is taxed: *Provided*, That no tax shall be imposed or collected on or with respect to any instrument if the tax is based on—

(1) the value of any notes or mortgages or other lien instruments held by or transferred to the Secretary;

(2) any notes or lien instruments administered under this subchapter which are made, assigned, or held by a person otherwise liable for such tax; or

(3) the value of any property conveyed or transferred to the Secretary, whether as a tax on the instrument, the privilege of conveying or transferring, or the recordation thereof; nor shall the failure to pay or collect any such tax be a ground for refusal to record or file such instruments, or for failure to impart notice, or prevent the enforcement of its provisions in any State or Federal court.

(July 15, 1949, ch. 338, title V, § 528, as added Pub. L. 95-128, title V, § 512(a), Oct. 12, 1977, 91 Stat. 1142; amended Pub. L. 98-479, title II, § 204(c)(3), Oct. 17, 1984, 98 Stat. 2233.)

AMENDMENTS

1984—Pub. L. 98-479 substituted "property held by Secretary" for "Farmers Home Administration-held property" in section catchline.

EFFECTIVE DATE

Pub. L. 95-128, title V, § 512(c), Oct. 12, 1977, 91 Stat. 1142, provided that: "The amendment made by subsection (a) [enacting this section] shall become effective as of January 1, 1977."

REFUND OF TAX PAYMENTS PRIOR TO OCTOBER 12, 1977, BARRED; FEDERAL OFFICERS OR EMPLOYEES NOT LIABLE FOR SUCH PAYMENTS

Pub. L. 95-128, title V, § 512(b), Oct. 12, 1977, 91 Stat. 1142, provided that: "Notwithstanding any other provision of law, no State, Commonwealth, territory, possession, district, or local political subdivision which has received, prior to the date of enactment of this Act [Oct. 12, 1977], tax payments from the Department of Agriculture based on property held by the Farmers Home Administration shall be liable for, or be obligated to refund, the amount of any such payment, which, if it had been made after the date of enactment of this Act, would have been authorized by the provisions of section 528 of the Housing Act of 1949 [this section], and no officer or employee of the United States shall incur or be under any liability by reason of having made or authorized any such payments."

**§ 1490i. Repealed. Pub. L. 98-181, title I [title V, § 506(b)], Nov. 30, 1983, 97 Stat. 1242**

Section, act July 15, 1949, ch. 338, title V, § 529, as added Nov. 9, 1978, Pub. L. 95-619, title II, § 252(b), 92 Stat. 3236, required the Secretary of Agriculture to promote the use of energy saving techniques through the establishment of minimum property standards for newly constructed residential housing.

**§ 1490j. Conditions on rent increases in projects receiving assistance under other provisions of law**

The Secretary may not approve any increase in rental payments, with respect to units in which the tenants are paying rentals in excess of 30 per centum of their incomes, in any project which is assisted under section 1484, 1485, or 1487 of this title and under section 1490a(a)(1)(B) of this title unless the project owner is receiving, or has applied for (within the most recent period of 180 days prior to the effective date of such increase), assistance payments with respect to such project under section 1490a(a)(2)(A) or 1490a(a)(5) of this title or section 1437f of this title.

(July 15, 1949, ch. 338, title V, § 530, as added Pub. L. 96-399, title V, § 509, Oct. 8, 1980, 94 Stat. 1670; amended Pub. L. 98-181, title I [title V, § 517(d)], Nov. 30, 1983, 97 Stat. 1248; Pub. L. 105-276, title V, § 599C(e)(2)(G), Oct. 21, 1998, 112 Stat. 2663.)

AMENDMENTS

1998—Pub. L. 105-276 substituted "assistance payments with respect to such project under section 1490a(a)(2)(A) or 1490a(a)(5) of this title" for "rental assistance payments with respect to such project under section 1490a(a)(2)(A) of this title".

1983—Pub. L. 98-181 substituted "30 per centum" for "25 per centum".

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 98-181 effective six months after Nov. 30, 1983, or upon the earlier promulgation of implementing regulations, see section 517(f) of Pub. L. 98-181, set out as a note under section 1490a of this title.

**§ 1490k. FHA insurance**

The Secretary is authorized to act as an agent of the Secretary of Housing and Urban Develop-