

\$9,000 per family unit if the number of rooms in such property or project is less than four per family unit)" to "\$9,000 per family unit without a bedroom, \$12,500 per family unit with one bedroom, \$15,000 per family unit with two bedrooms, and \$18,500 per family unit with three or more bedrooms"; and, in the second sentence, inserted ", by regulation," and substituted provisions authorizing an increase "by not to exceed 45 per centum" of any of such limits because of cost levels for former provision authorizing such an increase "by not to exceed \$1,000 per room", respectively.

1963—Subsec. (b)(1). Pub. L. 88-127, §2(1), included essential personnel employed or assigned to duty at or in connection with any research or development installation of the National Aeronautics and Space Administration or of the Atomic Energy Commission.

Subsec. (d). Pub. L. 88-127, §2(2), included persons described in cl. (1)(B) of subsec. (b) of this section.

Subsec. (k). Pub. L. 88-127, §2(3), substituted "October 1, 1965" for "October 1, 1963".

1962—Subsec. (k). Pub. L. 87-623 provided that no mortgages shall be insured under this section after October 1, 1963, except pursuant to a commitment before such date, and struck out "and the expiration date of the Commissioner's authority to insure" after "amount of all mortgages insured".

1961—Subsec. (b). Pub. L. 87-70, §611(a)(1), struck out provisions which required certification by Secretary of Defense or his designee.

Subsec. (d). Pub. L. 87-70, §611(a)(2), struck out provisions which related to certification and advice of Secretary of Defense or his designee.

Subsec. (l). Pub. L. 87-70, §611(a)(3), repealed subsec. (l) which required Secretary of Defense to guarantee Armed Services Housing Mortgage Insurance Fund from loss.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 371 of Pub. L. 97-35, set out as an Effective Date note under section 3701 of this title.

##### TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

AMENDMENTS TO PROVISIONS FOR FAMILY UNIT LIMITS ON RENTAL HOUSING; EQUITABLE APPLICATION OF SUCH AMENDMENTS OR PRE-AMENDMENT PROVISIONS TO PROJECTS SUBMITTED FOR CONSIDERATION PRIOR TO SEPTEMBER 2, 1964

Equitable application of amendment to subsec. (f) of this section by section 107(f) of Pub. L. 88-560 or pre-amendment provisions to projects submitted for consideration prior to Sept. 2, 1964, see section 107(g) of Pub. L. 88-560, set out as a note under section 1713 of this title.

#### § 1748h-3. Payments in lieu of taxes; limitations; exemption from taxation

(a) The Secretary is authorized to make payments in lieu of taxes on any real property to which title has been or is hereafter acquired by him in fee under section 1748b of this title as effective prior to August 11, 1955, and on which taxes or payments in lieu of such taxes were payable or paid prior to acquisition by the Secretary. Such payments may be made in connection with tax years occurring prior to or subsequent to October 5, 1962. The amount of any such payments shall not exceed taxes on similar property and shall not include interest or penalties. If the Secretary has acquired or hereafter

acquires title in fee to real property by foreclosure or by transfer from some other department or agency of the Government or otherwise during a tax year, he may make a payment in lieu of taxes prorated for that portion of the year remaining after his acquisition of title. This subsection shall not authorize any lien against property held by the Secretary, nor the payment of any tax, nor any payment in lieu of any tax, on any interest of the Secretary as lessee or mortgagee.

(b) Nothing in this subchapter shall be construed to exempt any real property which has been or is hereafter acquired and held by the Secretary under section 1748h-1 or 1748h-2 of this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

(June 27, 1934, ch. 847, title VIII, §811, as added Pub. L. 87-756, Oct. 5, 1962, 76 Stat. 751; amended Pub. L. 90-19, §1(a)(3), May 25, 1967, 81 Stat. 17.)

#### Editorial Notes

##### AMENDMENTS

1967—Subsecs. (a), (b). Pub. L. 90-19 substituted "Secretary" for "Commissioner" wherever appearing.

#### § 1748i. Omitted

#### Editorial Notes

##### CODIFICATION

Section, act Sept. 28, 1951, ch. 434, title V, §505, 65 Stat. 365, related to appropriation and expenditure of funds for acquisition of land, installation of outside utilities, and site preparation for housing projects constructed under this subchapter.

#### SUBCHAPTER IX—HOUSING FOR EDUCATIONAL INSTITUTIONS

#### §§ 1749 to 1749c. Repealed. Pub. L. 99-498, title VII, § 702, Oct. 17, 1986, 100 Stat. 1545

Section 1749, acts Apr. 20, 1950, ch. 94, title IV, §401, 64 Stat. 77; June 30, 1953, ch. 170, §24(b), 67 Stat. 128; Aug. 2, 1954, ch. 649, title VIII, §808(b), 68 Stat. 646; Aug. 11, 1955, ch. 783, title III, §301, 69 Stat. 644; Aug. 7, 1956, ch. 1029, title VI, §601, 70 Stat. 1113; July 12, 1957, Pub. L. 85-104, title VI, §601(a), 71 Stat. 303; Sept. 23, 1959, Pub. L. 86-372, title VI, §§601, 603(b), 73 Stat. 681, 682; Sept. 14, 1960, Pub. L. 86-788, §2(b), 74 Stat. 1028; June 30, 1961, Pub. L. 87-70, title IV, §401, 75 Stat. 172; Aug. 10, 1965, Pub. L. 89-117, title VI, §§601, 602, 604(b), 79 Stat. 489; May 24, 1966, Pub. L. 89-429, §3(b), 80 Stat. 166; Nov. 3, 1966, Pub. L. 89-754, title X, §1014(b), 80 Stat. 1292; May 25, 1967, Pub. L. 90-19, §8(a), 81 Stat. 22; Aug. 1, 1968, Pub. L. 90-448, title XVII, §1705(b)-(e), (g)(1), 82 Stat. 604, 605; Dec. 24, 1969, Pub. L. 91-152, title II, §219, 83 Stat. 390; July 24, 1970, Pub. L. 91-351, title VII, §710, 84 Stat. 463; Dec. 31, 1970, Pub. L. 91-609, title II, §205, 84 Stat. 1777; Oct. 17, 1984, Pub. L. 98-479, title II, §203(e)(1), 98 Stat. 2230, authorized Federal loans and grants to assist educational institutions in providing housing and other educational facilities for students and faculties.

Section 1749a, acts Apr. 20, 1950, ch. 94, title IV, §402, 64 Stat. 78; Sept. 23, 1959, Pub. L. 86-372, title VI, §602, 73 Stat. 681; May 25, 1967, Pub. L. 90-19, §8(a), (b), 81 Stat. 22; Jan. 2, 1975, Pub. L. 93-604, title VII, §705(b), 88 Stat. 1964; Oct. 31, 1983, Pub. L. 98-139, title III, §308, 97 Stat. 895; Oct. 17, 1984, Pub. L. 98-479, title II, §201(d)(1), 203(e)(2)-(4), 204(d), 98 Stat. 2228, 2230, 2233; Nov. 8, 1984, Pub. L. 98-619, title III, §308, 98 Stat. 3329; Dec. 12, 1985, Pub. L. 99-178, title III, §307, 99 Stat. 1128;

Oct. 18, 1986, Pub. L. 99-500, §101(i) [H.R. 5233, title III, §307], 100 Stat. 1783-287, and Oct. 30, 1986, Pub. L. 99-591, §101(i) [H.R. 5233, title III, §307], 100 Stat. 3341-287; Dec. 22, 1987, Pub. L. 100-202, §106, 101 Stat. 1329-433, related to powers and duties of Secretary in carrying out subchapter.

Section 1749b, acts Apr. 20, 1950, ch. 94, title IV, §403, 64 Stat. 80; June 30, 1961, Pub. L. 87-70, title IV, §402, 75 Stat. 173; Aug. 1, 1968, Pub. L. 90-448, title XVII, §1705(f), 82 Stat. 604, related to apportionment of funds.

Section 1749c, acts Apr. 20, 1950, ch. 94, title IV, §404, 64 Stat. 80; Aug. 11, 1955, ch. 783, title III, §§302, 303, 69 Stat. 645; July 12, 1957, Pub. L. 85-104, title VI, §601(b), 71 Stat. 304; Sept. 23, 1959, Pub. L. 86-372, title VI, §603(a), 73 Stat. 682; June 30, 1961, Pub. L. 87-70, title IV, §403, 75 Stat. 173; Sept. 2, 1964, Pub. L. 88-560, title X, §1002, 78 Stat. 806; Aug. 10, 1965, Pub. L. 89-117, title VI, §§603, 604(a), 79 Stat. 489; Nov. 3, 1966, Pub. L. 89-754, title X, §1014(a), 80 Stat. 1292; May 25, 1967, Pub. L. 90-19, §8(a), (c), 81 Stat. 22; Aug. 1, 1968, Pub. L. 90-448, title XVII, §1705(g)(2)-(7), 82 Stat. 605; Oct. 17, 1984, Pub. L. 98-479, title II, §201(d)(2), 98 Stat. 2228, defined terms used in subchapter.

#### § 1749d. Cost of inspections and of providing representatives

On and after December 19, 1963, necessary expenses of inspections and of providing representatives at the site of projects being planned or undertaken by local public agencies pursuant to title I of the Housing Act of 1949, as amended [42 U.S.C. 1450 et seq.], projects financed through loans to educational institutions authorized by title IV of the Housing Act of 1950, as amended [12 U.S.C. 1749 et seq.], projects and facilities financed by loans to public agencies pursuant to title II of the Housing Amendments of 1955, as amended [42 U.S.C. 1491 et seq.], urban planning financed through grants to State and local government agencies pursuant to chapter 35 of title 40, and reserves of planned public works financed through advances to municipalities and other public agencies pursuant to chapter 35 of title 40, as amended, shall be compensated by such agencies or institutions by the payment of fixed fees which in the aggregate will cover the costs of rendering such services, and expenses for such purpose shall be considered nonadministrative; and for the purpose of providing such inspections, the Secretary of Housing and Urban Development may utilize any agency and such agency may accept reimbursement or payment for such services from such institutions, or the Secretary, and shall credit such amounts to the appropriations or funds against which such charges have been made.

(Pub. L. 88-215, title I, Dec. 19, 1963, 77 Stat. 437; Pub. L. 89-174, §5, Sept. 9, 1965, 79 Stat. 669.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Housing Act of 1949, as amended, referred to in text, is act July 15, 1949, ch. 338, 63 Stat. 413, as amended. Title I of the Housing Act of 1949 which was classified generally to subchapter II (§1450 et seq.) of chapter 8A of Title 42, The Public Health and Welfare, was omitted from the Code pursuant to section 5316 of Title 42 which terminated the authority to make grants or loans under such chapter after Jan. 1, 1975. For complete classification of this Act to the Code, see Short Title note set out under section 1441 of Title 42 and Tables.

The Housing Act of 1950, referred to in text, is act Apr. 20, 1950, ch. 94, 64 Stat. 48. Title IV of the Act was

classified generally to this subchapter and was repealed by Pub. L. 99-498, title VII, §702, Oct. 17, 1986, 100 Stat. 1545. For complete classification of this Act to the Code, see Short Title of 1950 Amendment note set out under section 1701 of this title and Tables.

The Housing Amendments of 1955, referred to in text, is act Aug. 11, 1955, ch. 783, 69 Stat. 645, as amended. Title II of the Act was classified generally to chapter 8B (§1491 et seq.) of Title 42, The Public Health and Welfare, and was omitted from the Code pursuant to section 5316 of Title 42 which terminated authority to make grants or loans under such title II after Jan. 1, 1975. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

#### CODIFICATION

“Chapter 35 of title 40” substituted in text for “title VII of the Housing Act of 1954, as amended” and for “title VII of the Housing Act of 1954” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

Section was enacted as part of the Independent Offices Appropriation Act, 1964, Pub. L. 88-215, and not as part of the National Housing Act which comprises this chapter or title IV of the Housing Act of 1950 which comprised this subchapter. Similar provisions were contained in the following prior appropriation acts:

Oct. 3, 1962, Pub. L. 87-741, title I, 76 Stat. 728.  
 Aug. 17, 1961, Pub. L. 87-141, title I, 75 Stat. 353.  
 July 12, 1960, Pub. L. 86-626, title I, 74 Stat. 434.  
 Sept. 14, 1959, Pub. L. 86-255, title I, 73 Stat. 508.  
 Aug. 28, 1958, Pub. L. 85-844, title I, 72 Stat. 1070.  
 June 29, 1957, Pub. L. 85-69, title I, 71 Stat. 233.  
 June 27, 1956, ch. 452, title I, 70 Stat. 345.  
 June 30, 1955, ch. 244, title I, 69 Stat. 206.  
 June 24, 1954, ch. 359, title I, 68 Stat. 283.  
 July 31, 1953, ch. 302, title I, 67 Stat. 305.  
 July 5, 1952, ch. 578, title I, 66 Stat. 402.  
 Aug. 31, 1951, ch. 376, title I, 65 Stat. 276.  
 Sept. 6, 1950, ch. 896, Ch. VIII, title I, 64 Stat. 709.

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

“Secretary” substituted for “Administrator” pursuant to section 5 of Pub. L. 89-174, Sept. 9, 1965, 79 Stat. 669, which transferred functions, powers, and duties of Housing and Home Finance Agency and its Administrator to Secretary of Housing and Urban Development, and which is classified to section 3534 of Title 42, The Public Health and Welfare.

##### LIMITATION ON EXPENSE

Pub. L. 89-555, title I, §101, Sept. 6, 1966, 80 Stat. 684, limited nonadministrative expenses to \$5,535,000 for fiscal year 1966. Similar provisions for prior fiscal years were contained in acts Aug. 31, 1951, ch. 376, title I, §101, 65 Stat. 276; July 5, 1952, ch. 578, title I, §101, 66 Stat. 402; July 31, 1953, ch. 302, title I, §101, 67 Stat. 305; June 24, 1954, ch. 359, title I, §101, 68 Stat. 283; June 30, 1955, ch. 244, title I, §101, 69 Stat. 206; May 19, 1956, ch. 313, Ch. V, §501, 70 Stat. 166; June 27, 1956, ch. 452, title I, §101, 70 Stat. 346; June 29, 1957, Pub. L. 85-69, title I, §101, 71 Stat. 233; Aug. 28, 1958, Pub. L. 85-844, title I, §101, 72 Stat. 1070; Sept. 14, 1959, Pub. L. 86-255, title I, §101, 73 Stat. 508; July 12, 1960, Pub. L. 86-626, title I, §101, 74 Stat. 435; Aug. 17, 1961, Pub. L. 87-141, title I, §101, 75 Stat. 353; Oct. 3, 1962, Pub. L. 87-741, title I, §101, 76 Stat. 729; Dec. 19, 1963, Pub. L. 88-215, title I, §101, 77 Stat. 437; Aug. 30, 1964, Pub. L. 88-507, title I, §101, 78 Stat. 655; Aug. 16, 1965, Pub. L. 89-128, title I, §101, 79 Stat. 531.