

certain exceptions, pursuant to former section 1749bbb(b) of this title.

Section 1749bbb-10a, act June 27, 1934, ch. 847, title XII, § 1231, as added Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to review of market availability, Government crime insurance, and termination of insurance.

Section 1749bbb-10b, act June 27, 1934, ch. 847, title XII, § 1232, as added Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1), (3)], Nov. 30, 1983, 97 Stat. 1230, related to use of existing facilities and services.

Section 1749bbb-10c, act June 27, 1934, ch. 847, title XII, § 1233, as added Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1790; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to establishment of affordable rates, factors considered, uniform national rates, and periodic modification.

Section 1749bbb-10d, act June 27, 1934, ch. 847, title XII, § 1234, as added Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1790; amended Pub. L. 96-470, title II, § 205(a), Oct. 19, 1980, 94 Stat. 2244; Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 101-137, § 6(d), Nov. 3, 1989, 103 Stat. 825, related to reports to Congress on operations.

#### PART D—GENERAL PROVISIONS

### §§ 1749bbb-11 to 1749bbb-21. Omitted

#### Editorial Notes

##### CODIFICATION

Sections 1749bbb-11 to 1749bbb-21, comprising part D of this subchapter, terminated on Sept. 30, 1995, with certain exceptions, pursuant to former section 1749bbb(b) of this title.

Section 1749bbb-11, act June 27, 1934, ch. 847, title XII, § 1241, formerly § 1231, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 563; renumbered § 1241 and amended Pub. L. 91-609, title VI, § 602(d), (g), (h), Dec. 31, 1970, 84 Stat. 1789, 1790; Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to submission of claims, judicial review, jurisdiction, and statute of limitations.

Section 1749bbb-12, act June 27, 1934, ch. 847, title XII, § 1242, formerly § 1232, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 563; renumbered § 1242 and amended Pub. L. 91-609, title VI, § 602(d), (i), Dec. 31, 1970, 84 Stat. 1789, 1790; Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to fiscal intermediaries and servicing agents.

Section 1749bbb-13, act June 27, 1934, ch. 847, title XII, § 1243, formerly § 1233, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 564; renumbered § 1243 and amended Pub. L. 91-609, title VI, § 602(d), (j), Dec. 31, 1970, 84 Stat. 1789, 1790; Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 98-479, title II, § 203(i)(2), Oct. 17, 1984, 98 Stat. 2231; Pub. L. 100-242, title V, § 545(c), Feb. 5, 1988, 101 Stat. 1942, related to National Insurance Development Fund.

Section 1749bbb-14, act June 27, 1934, ch. 847, title XII, § 1244, formerly § 1234, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 565; renumbered § 1244 and amended Pub. L. 91-609, title VI, § 602(d), (f), (k), (l), Dec. 31, 1970, 84 Stat. 1789-1791; Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to records, annual statement, and audits.

Section 1749bbb-15, act June 27, 1934, ch. 847, title XII, § 1245, formerly § 1235, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 565; amended Pub. L. 91-152, title IV, § 407, Dec. 24, 1969, 83 Stat. 396; renumbered § 1245, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to study of reinsurance and other programs, and report to the President and Congress.

Section 1749bbb-16, act June 27, 1934, ch. 847, title XII, § 1246, formerly § 1236, as added Pub. L. 90-448, title XI,

§ 1103, Aug. 1, 1968, 82 Stat. 565; renumbered § 1246, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to other studies and cooperation with State insurance authorities and private insurance industry.

Section 1749bbb-17, act June 27, 1934, ch. 847, title XII, § 1247, formerly § 1237, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 566; renumbered § 1247, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1), (4)], Nov. 30, 1983, 97 Stat. 1230; Pub. L. 98-479, title II, § 202(a)(2), Oct. 17, 1984, 98 Stat. 2228, related to general powers of Director.

Section 1749bbb-18, act June 27, 1934, ch. 847, title XII, § 1248, formerly § 1238, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 566; renumbered § 1248, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to utilization of services and facilities of other agencies.

Section 1749bbb-19, act June 27, 1934, ch. 847, title XII, § 1249, formerly § 1239, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 566; renumbered § 1249, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to advance payments.

Section 1749bbb-20, act June 27, 1934, ch. 847, title XII, § 1250, formerly § 1240, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 566; renumbered § 1250, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789; amended Pub. L. 98-181, title I [title IV, § 452(b)(1)], Nov. 30, 1983, 97 Stat. 1230, related to tax issues.

Section 1749bbb-21, act June 27, 1934, ch. 847, title XII, § 1251, formerly § 1241, as added Pub. L. 90-448, title XI, § 1103, Aug. 1, 1968, 82 Stat. 566; renumbered § 1251, Pub. L. 91-609, title VI, § 602(d), Dec. 31, 1970, 84 Stat. 1789, related to authorization of appropriations for subchapter.

#### SUBCHAPTER X—NATIONAL DEFENSE HOUSING INSURANCE

#### Statutory Notes and Related Subsidiaries

##### EXPIRATION DATE

Insurance of mortgages under this subchapter prohibited, with certain exceptions, after July 31, 1954, see section 1591c of Title 42, The Public Health and Welfare.

### § 1750. Definitions

As used in this subchapter, the terms “mortgage”, “first mortgage”, “mortgagee”, “mortgagor”, “maturity date”, and “State” shall have the same meaning as in section 1707 of this title.

(June 27, 1934, ch. 847, title IX, § 901, as added Sept. 1, 1951, ch. 378, title II, § 201, 65 Stat. 295.)

### § 1750a. Repealed. Pub. L. 89-117, title XI, § 1108(aa), Aug. 10, 1965, 79 Stat. 507

Section, act June 27, 1934, ch. 847, title IX, § 902, as added Sept. 1, 1951, ch. 378, title II, § 201, 65 Stat. 296, created the National Defense Housing Insurance Fund.

For establishment of the General Insurance Fund, see section 1735c of this title.

### § 1750a-1. Omitted

#### Editorial Notes

##### CODIFICATION

Section, act Nov. 1, 1951, ch. 665, Ch. V, 65 Stat. 763, authorized the National Defense Housing Insurance Fund to be available for administrative expenses of the Federal Housing Administration. Pub. L. 89-117, title XI, § 1108(aa), Aug. 10, 1965, 79 Stat. 507, eliminated the

Fund, and all functions, powers, and duties of the Federal Housing Administration and its Administrator were transferred to and vested in the Secretary of Housing and Urban Development by Pub. L. 89-174, § 5, Sept. 9, 1965, 79 Stat. 669, classified to section 3534 of Title 42, The Public Health and Welfare. Act June 27, 1934, ch. 847, title V, § 519, as added Aug. 10, 1965, Pub. L. 89-117, title II, § 214, 79 Stat. 471, classified to section 1735c of this title, created the General Insurance Fund, which authorized the general expenses of the operations of the Department of Housing and Urban Development relating to mortgages and loans which are obligations of the General Insurance Fund to be charged to the General Insurance Fund.

#### § 1750b. Insurance in critical areas

##### (a) Limitations; termination of certain commitments; requirements; discrimination against children

This subchapter is designed to supplement systems of mortgage insurance under other provisions of this chapter in order to assist in providing adequate housing in areas which the President, pursuant to section 1591 of title 42, shall have determined to be critical defense housing areas. The Secretary is authorized, upon application by the mortgagee, to insure under this section or section 1750g of this title as hereinafter provided any mortgage which is eligible for insurance as hereinafter provided and upon such terms as the Secretary may prescribe to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided*, That the property covered by the mortgage is in an area which the President, pursuant to section 1591 of title 42, shall have determined to be a critical defense housing area, and that the total number of dwelling units in properties covered by mortgages insured under this subchapter in any such area does not exceed the number authorized by the Secretary of Housing and Urban Development from time to time as needed in such area for defense purposes and to be insured pursuant to this subchapter: *Provided further*, That in the event the Secretary has issued a commitment to insure a mortgage under this section, which commitment was in force and effect on June 1, 1953, and the Secretary determines that, because of changes in defense requirements, there is reasonable doubt that such housing is needed for defense purposes and that it is probable that the mortgage would become immediately in default and claim made for payment under the mortgage insurance contract if the unit or units are completed and the mortgage insured, the Secretary is authorized, in the interest of conserving the General Insurance Fund, to pay (in cash from the General Insurance Fund) to the mortgagee for the account of the mortgagor such amount as the Secretary shall determine to be necessary to reimburse the mortgagor the amounts paid or to be paid by the mortgagor on account of labor performed and materials in place, less the Secretary's estimate of the reasonable salvage value of such materials, plus an allowance for development costs equal to 4 per centum of the principal amount of the mortgage specified in such commitment, and no payments shall be made pursuant to this proviso unless a claim therefor is filed not later than six months from date of the determination of lack of need

and the claim is in such form and contains such supporting information, documents, and data as the Secretary may require: *Provided further*, That the aggregate amount of principal obligations of all mortgages insured under this subchapter shall not exceed such sum as may be authorized by the President from time to time for the purposes of this subchapter pursuant to his authority under section 1715h<sup>1</sup> of this title: *Provided further*, That the Secretary shall have power to require properties covered by mortgages insured under this subchapter to be held for rental for such periods of time and at such rentals or other charges as he may prescribe; and, with respect to such properties being held for rental, (1) to require that the property be held by a mortgagor approved by him, and (2) to prescribe such requirements as he deems to be reasonable governing the method of operation and prohibiting or restricting sales of such properties or interests therein or agreements relating to such sales: *Provided further*, That the Secretary shall require each dwelling covered by a mortgage insured under this section, for which a commitment to insure is issued after August 2, 1954, to be held for rental for a period of not less than three years after the dwelling is made available for initial occupancy: *And provided further*, That no mortgage shall be insured under this subchapter unless the mortgagor certifies under oath that in selecting tenants for any property covered by the mortgage he will not discriminate against any family by reason of the fact that there are children in the family, and that he will not sell the property while the insurance is in effect unless the purchaser so certifies, such certification to be filed with the Secretary. Violation of any such certification shall be a misdemeanor punishable by a fine of not to exceed \$500.

##### (b) Eligibility requirements

To be eligible for insurance under this section a mortgage shall—

(1) have been made to, and be held by, a mortgagee approved by the Secretary as responsible and able to service the mortgage properly;

(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Secretary shall approve) in an amount not to exceed 90 per centum of the appraised value (as of the date the mortgage is accepted for insurance) of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for residential use for not more than two families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction, the construction of which is begun after September 1, 1951. The principal obligation of such mortgage shall not, however, exceed \$8,100 if such dwelling is designed for a single-family residence, or \$15,000 if such dwelling is designed for a two-family residence except that the Secretary may by regulation increase these amounts to not to exceed \$9,000 and \$16,000, respectively, in any geographical area where he finds that

<sup>1</sup> See References in Text note below.