**Section 3045.95 Sale or Transfer of Grant-Funded Property**

a) Real Property

1) If land purchased wholly by grant funds is sold or transferred by operation of law other than transfer due to the death of the grantee:

A) within 5 years after receipt of grant funds, 100% of the grant funding or of the sale price, whichever is greater, must be paid back to the OHV grant fund;

B) in the 6th year after receipt of grant funds, 90% of the grant funding or 90% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

C) in the 7th year after receipt of grant funds, 80% of the grant funding or 80% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

D) in the 8th year after receipt of grant funds, 70% of the grant funding or 70% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

E) in the 9th year after receipt of grant funds, 60% of the grant funding or 60% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

F) in the 10th year after receipt of grant funds, 50% of the grant funding or 50% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

G) in the 11th year after receipt of grant funds, 40% of the grant funding or 40% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

H) in the 12th year after receipt of grant funds, 30% of the grant funding or 30% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

I) in the 13th year after receipt of grant funds, 20% of the grant funding or 20% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

J) in the 14th year after receipt of grant funds, 10% of the grant funding or 10% of the sale price, whichever is greater, must be paid back to the OHV grant fund; and

K) in the 15th year or thereafter, no reimbursement to the OHV grant fund is required.

2) If land purchased partially by grant funds is sold or transferred by operation of law other than transfer due to the death of the grantee:

A) within 5 years after receipt of grant funds, 100% of the grant funding or 100% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

B) in the 6th, 7th or 8th year after receipt of grant funds, 80% of the grant funding or 80% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

C) in the 9th, 10th or 11th year after receipt of grant funds, 60% of the grant funding or 60% of the sale price, whichever is greater, must be paid back to the OHV grant fund;

D) in the 12th, 13th or 14th year after receipt of grant funds, 30% of the grant funding or 30% of the sale price, whichever is greater, must be paid back to the OHV grant fund; and

E) in the 15th year or thereafter, no reimbursement to the grant fund is required.

3) In cases of catastrophic illness or injury to the grantee or principals of the grantee (e.g., spouses, children and parents), the Director, with advice from the Board, may modify the repayment provisions of subsections (a)(1) and (2).

b) Personal Property

1) No personal property purchased with grant funds shall be disposed of without the Department's written consent, which shall not be unreasonably withheld. Disposing of such property without written consent shall require repayment of the grant funding used to purchase the property or the fair market value of the property, whichever is deemed most appropriate by the Department.

2) Any insurance proceeds from personal property that was purchased with grant funds and is accidentally destroyed must be used to replace the destroyed personal property, unless the Department concurs in writing that the insurance proceeds may be used for another purpose.

(Source: Amended at 30 Ill. Reg. 10092, effective May 22, 2006)