**Section 261.610 Noncompliance with Grant Requirements and Procedures**

a) In the event of noncompliance with any provision of the grant agreement or this Part, the Director may take any necessary action as provided by law or by the grant agreement against the grant recipient including, but not limited to, one or more of the following actions:

1) Commence legal action in a court of competent jurisdiction;

2) Declare all grant funds revoked immediately and recover all grant funds;

3) Terminate the grant pursuant to Section 261.630 (Grant Termination by the Agency) of this Subpart;

4) Suspend all or part of the project scope of work pursuant to Section 261.620 (Project Suspension) of this Subpart; or

5) Reduce the amount of the grant by the amount of misused funds.

b) In determining whether to take action, the Agency shall, at a minimum, consider mitigating or aggravating factors, including, but not limited to, the severity and number of the violations, whether the violation is a continuing one, whether the grant recipient can remedy or has remedied the violation, and whether the grant recipient and any contractor or subcontractor remain capable of complying with the approved project scope of work.