**Section 100.40 Local Administering Agency Designation**

a) Certain entities are eligible to apply for LAA designation under this Part as follows:

1) Any organization which was officially designated as a Community Action Agency under the applicable provisions of the Economic Opportunity Act of 1964, as amended (42 USC 2701);

2) Any non-profit private community organization determined by the Department to be capable of planning, conducting and administering the LIHEAP and IHWAP programs according to the guidelines established by the Department and in accordance with this Section; and

3) A (Unit or combination of Units) of General Purpose Local Governments of the State (as defined in Section 100.30).

b) The Department will designate LAAs in compliance with the federal standards set forth in Section 100.10, the HHS regulations (45 CFR 96) (October 1, 2017), and the DOE regulations (10 CFR 440) (January 1, 2017) for the LIHEAP and IHWAP programs under this Part.

c) Only a designated LAA may apply for grant funding from the State, pursuant to Section 100.50, to operate the LIHEAP and IHWAP programs and only in the specific county or counties approved by the Department (Service Area). If, however, the designated LAA fails to timely submit an application for grant funding from the State for a certain Program Year, the Department has the right to assign an alternate LAA to operate the LIHEAP and IHWAP programs in that LAA's Service Area for that Program Year in order to ensure continuity of services and to protect the public interest.

d) In the event that the Department commences a designation revocation proceeding against a designated LAA, or the Department temporarily suspends a designated LAA, or an LAA provides written notice to the Department stating its desire to discontinue operation of its LIHEAP and IHWAP programs in its Service Area, as set forth in Section 100.60, the Department, in its sole discretion, may assign an alternate LAA to operate the LIHEAP and IHWAP programs (that meets all requisite eligibility criteria in accordance with Section 100.40) during the pendency of the suspension or the designation revocation proceeding, or following the LAA's requested termination, as applicable, in order to ensure continuity of services in the Service Area.

(Source: Amended at 42 Ill. Reg. 6350, effective March 20, 2018)