**Section 100.450 Eligible Dwelling Units**

A dwelling unit shall be eligible for IHWAP services if:

a) it meets the definition of separate, independent living quarters (see Section 100.30);

b) it is occupied by household members:

1) whose total income is at or below 150% of the Poverty Income Guidelines per most recent census data (67 FR 6931-6933, February 14, 2002, with no later amendments or editions);

2) who have received cash assistance payments under Title IV or XVI of the Social Security Act or under Temporary Assistance for Needy Families (89 Ill. Adm. Code 112) or Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113) during the 12 month period preceding the determination of eligibility for weatherization assistance; or

3) who are eligible for assistance, in accordance with Section 100.250, under LIHEAP (as established by the Act);

c) it is a building containing rental units eligible for weatherization assistance under subsection (b) where:

1) the local agency has obtained the written permission of the owner or his agent;

2) at least 50% of the dwelling units in the building are eligible dwelling units or will become eligible dwelling units within 180 days under a federal, State or local government program for rehabilitating the building or making similar improvements to the building, such as programs authorized by 42 USC 1437f, or 1474;

3) the local agency has insured that rents will not be raised because of the increased value of dwelling units due solely to weatherization assistance provided; and

4) no undue or excessive enhancement shall occur to the value of the dwelling units, e.g., the weatherization will be more cost beneficial to the landlord than to the tenant.

(Source: Section 100.450 recodified from 89 Ill. Adm. Code 109.450 at 33 Ill. Reg. 9466)