**Section 110.350 Evaluation of Performance**

a) The Department shall review the RF to determine if the grantee has administered and carried out its RF activities in compliance with the requirements and criteria outlined in Subpart B, with emphasis upon:

1) The requirements of Section 110.230 that there be an approved updated recapture strategy.

2) The requirements of Sections 110.250 and 110.270 regarding the eligible uses of revolving funds and administrative costs.

3) The requirements of Section 110.260, specifically Section 110.260(c), and Section 110.270(d) that outline the basic RF requirements, stating that, for each Financial Assistance Agreement, not less than 51% of the jobs created or retained shall benefit low and moderate-income persons.

4) The development of and adherence to sound administrative principles and procedures pursuant to the requirements of Sections 110.240, 110.280 and 110.290.

5) The requirements of Sections 110.300, 110.310, and 110.320 of the RF implement solid lending and investing practices and strict follow-up procedures. This shall be evidenced by a Financial Assistance Agreement compliance worksheet acceptable to the Department that includes information pertaining to and based upon the number of Financial Assistance Agreements made through the RF, the number of non-performing Financial Assistance Agreements, the underlying justification for the financial assistance (Section 110.280) and the documentation on file regarding follow-up, including legal action.

6) The grantee's past performance and past willingness to act on Department recommendations resulting from its periodic monitoring visits pursuant to Section 110.340.

b) With the receipt of any new economic development grant awarded under Subpart A of this Part, the Department shall evaluate the performance of an existing RF using the criteria found in subsection (a) of this Section as a condition of retaining future repayments.

(Source: Amended at 28 Ill. Reg. 13468, effective September 23, 2004)