**Section 110.360 Program Income Subject to the Act**

a) Any program income (as defined in Section 110.220 of this Subpart) that the Department has permitted a grantee to retain and that is realized while the grantee has an open CDAP grant is subject to the requirements of the Act and 24 CFR 570.

b) Program income retained by the grantee generated from a CDAP grant award shall always be subject to the requirements of the Act and 24 CFR 570 regardless of whether the CDAP grant that generated the income is closed. For purposes of this Subpart, a closed project is defined in Section 110.220.

c) Regardless of when the program income is earned, the RF shall always be subject to the requirements of the approved recapture strategy and each beneficiary of funds through the RF shall benefit at least 51% low and moderate-income persons.

(Source: Amended at 38 Ill. Reg. 21323, effective October 30, 2014)