**Section 355.404 Recapture Agreement**

Each Household receiving assistance or a subsidy under a Single Family Project or Employer-Assisted Housing Project in connection with the purchase of a Single Family Residence shall execute a Recapture Agreement for the benefit of the Sponsor. The Recapture Agreement shall be recorded in the Office of the Recorder of Deeds in the county in which the Single Family Residence is located as a restrictive covenant on the Single Family Residence. The Recapture Agreement shall provide that, if the Single Family Residence is transferred during the term of the Compliance Period, other than by will, inheritance or a transfer by law to a joint tenant owner, the Household shall repay to the Sponsor a pro-rated portion of any funds provided as a grant or subsidy toward the purchase of the Single Family Residence. In cases of hardship to a Very Low-Income, Low-Income or, for Employer-Assisted Housing Projects, Moderate-Income Household, such as serious illness or loss of employment, an Agency may reduce the Compliance Period.

(Source: Amended at 34 Ill. Reg. 15822, effective September 28, 2010)