**Section 386.103 Definitions**

The following terms used in this Part shall have the following definitions:

"Act": The Illinois Housing Development Act [20 ILCS 3805].

"Applicant": A prospective Counseling Agency making an Application for a Grant.

"Application": An application to the Authority on the Authority's form for a Grant completed by a prospective Counseling Agency.

"Appropriation": The annual Appropriation of funds for the program by the Illinois General Assembly from the Foreclosure Prevention Graduated Fund to the Illinois Department of Revenue for the Authority, including any other funds appropriated for this purpose.

"Attorney General": The Illinois Attorney General.

"Auditor General": The Illinois Auditor General.

"Authority": The Illinois Housing Development Authority.

"City": The City of Chicago.

"Commitment": A contract executed by the Authority and a Counseling Agency under which the Authority agrees to make a Grant to the Counseling Agency. Each Commitment shall contain a provision to the effect that the Authority shall not be obligated to provide funds under the Commitment if the Authority has not received sufficient funds from an Appropriation.

"Computer and Equipment Expenses": Computer and equipment costs incurred by a Counseling Agency in connection with the administration of the Grant.

"*Counseling Agencies": A housing counseling agency approved by HUD* (Section 7.30(b-5) of the Act).

"Eligible Uses": Shall have the meaning set forth in Section 386.302.

"Foreclosure Prevention Graduated Fund" or "Fund": A fund created in the State Treasury for the collection of certain fees as set forth in Section 15-1504.1 of the Illinois Code of Civil Procedure [735 ILCS 5/15-1504.1] paid by a plaintiff at the time of a filing of a foreclosure complaint in connection with residential real estate.

"General Operational Expenses": Operational costs incurred by a Counseling Agency in connection with the administration of the Grant.

"Grant": The portion of the Appropriation granted by the Authority to the Counseling Agencies for Eligible Uses under the Program.

"Approved Housing Counseling": *In-person counseling provided by a counselor employed by a Counseling Agency to all borrowers, or documented telephone counseling if a hardship would be imposed on one or more borrowers. A hardship shall exist in instances in which the borrower is confined to his or her home due to medical condition, as verified in writing by a physician, or the borrower resides 50 miles or more from the nearest Counseling Agency. In instances of telephone counseling, the borrowers must supply all necessary documents to the counselor at least 72 hours prior to the scheduled telephone counseling session*. (Section 7.30(b-5) of the Act)

"HUD": The U.S. Department of Housing and Urban Development.

"Program": The Foreclosure Prevention Graduated Program authorized by Section 7.30(b-1) of the Act.

"State": The State of Illinois.

"Technical Assistance": Counseling Agencies activities involving:

planning for Housing Counseling; or

assistance with an Application.