

CHAPTER 23
GRANT APPLICATIONS AND AWARDS

193E—23.1(543B) Scope. This chapter establishes the rules of the Iowa real estate education grant committee for the revenues collected pursuant to Iowa Code section 543B.14 and distributed pursuant to Iowa Code Supplement section 543B.54.

193E—23.2(543B) Application process.

23.2(1) Notice. Upon request of the committee, the real estate education director shall announce the opening of the application process by public notice. All communications relating to the committee, the application process, and grants awarded shall be directed to the real estate education director or the director's designee.

23.2(2) Every Iowa community college, college, and university in the state that seeks grant funds must submit an application.

23.2(3) Contents.

a. Each application must contain the following:

(1) The name and address of the applicant and the telephone number of a contact person.
(2) A proposal summary that contains the reasons for the grant request, a plan of action which details how the awarded funds will be spent, and the results and benefits that are expected. The action plan must include:

1. The grant goals, objectives, time lines, responsible individuals, and methods of evaluation. The grant results shall be quantifiable and measurable.

2. The establishment of an end result which is beneficial to the real estate profession.

3. The number of projected real estate education courses/studies/projects to be promoted by the applicant.

(3) A budget detailing how the grant funds will be expended.

(4) Assurances that the applicant will comply with the conditions and procedures for grant administration, including a plan for project monitoring.

(5) A plan for evaluation.

(6) Assurance that the funds will not be used to retire preexisting financial obligations.

(7) Assurances that the applicant will comply with the conditions for financial management.

b. One original application and eight copies of the application shall be filed with the real estate education director or the director's designee, who shall provide a copy to each committee member.

23.2(4) The committee chair, designee, or a subcommittee appointed by the chair shall be responsible to determine which applications, if any, qualify for consideration. All applicants whose applications are rejected shall be notified of the rejection and why. The following are the reasons for which an application shall not be considered:

a. The application is received after the date and time specified in the notice.

b. The application does not contain the required information.

c. The application does not use the curriculum maintained by the commission.

23.2(5) The committee shall notify successful applicants and shall provide each successful applicant with a contract for signature. This contract shall be signed by the committee chair and an official with authority to bind the grantee. The original executed contract shall be returned to the real estate education director at the office of the commission prior to the disbursement of any funds under this program. Disbursement of funds will be processed by the professional licensing and regulation bureau within 60 days after the real estate education director has received the fully executed contract.

23.2(6) A grant shall be awarded for a 12-month period. The grant may be renewed for subsequent years by the grantee's making application as required.

23.2(7) If the applicant and the committee are unable to successfully negotiate a contract, the committee may withdraw the offer of the grant.

23.2(8) Applications that do not receive grants, or do not qualify, shall be retained for a period of six months from the date of the application deadline.

193E—23.3(543B) Selection of grant proposals. A majority vote of the committee as a whole is required to award any and all grants under this program. All votes of the committee to award any and all grants under this program shall be made in open session at a meeting of the committee.

23.3(1) Evaluation of proposals. All applications completed as directed and submitted within the time frames allowed will be evaluated by the committee. Each committee member will recommend and advise action on each application.

23.3(2) Final discretion. The committee shall have full and final discretion on the awarding of grants. The committee's decisions regarding grant applications are not appealable to the commission. The commission will not and is not authorized to consider committee award decisions.

23.3(3) Factors in selection. The following factors will be considered in selecting proposals for grant awards:

a. The demonstrated need for or value of the project.

b. The support of and coordination with the applicant's existing program.

c. The course/program structure, including how realistic goals and objectives are, likelihood of the anticipated impact on the area addressed, experience serving similar populations or providing similar services, administration of funds, stability of the organization and the overall quality of the proposal in comparison to other proposals submitted.

d. Plans for use of funds. Grant funds may not be used for construction, capital improvements, or purchase of real estate.

23.3(4) The sum total of the grant, or grants, awarded shall not exceed the amount of funds available in the grant account on the date the committee votes to award the funds.

23.3(5) Applying for a grant does not entitle the applicant to any funds. The committee shall have sole discretion to decide which, if any, application shall be funded and in what amount.

193E—23.4(543B) Evaluation. When requested by the committee, the grantee shall cooperate with the committee and shall provide information to determine how the goals and objectives of the project are being met. The committee shall evaluate the grantee at least once prior to the end of the contract period to determine whether the goals are being met and shall provide feedback to the grantee.

193E—23.5(543B) Termination.

23.5(1) Cause. The contract may be terminated in whole or in part at any time before the date of grant expiration, whenever the committee determines that the grantee has failed to comply substantially with the conditions of the contract or there is a lack of funds available for the contract. The grantee shall be notified in writing of the reasons for the termination and the effective date. The grantee shall not incur new obligations for the terminated portion of the contract after the effective date of termination and shall cancel outstanding obligations.

23.5(2) Responsibility of grantee at termination. Within 45 days of the termination, the grantee shall supply the committee with a financial statement detailing all costs up to the effective date of the termination. If the grantee expends moneys other than for specified budget items approved by the committee, the grantee shall return moneys for the unapproved expenditures.

193E—23.6(543B) Financial management.

23.6(1) Financial documents. The grantee shall follow generally accepted accounting principles for financial records and procedures established.

23.6(2) Financial reporting. Within 90 days of the expiration or termination of a grant, the recipient shall submit to the committee a full disclosure of the status of grant expenditures compared to budgeted amounts on a line item basis. Expenditures shall be reported on a line item basis, and any expenditure exceeding 5 percent of the line item will require the grantee to submit an amended application to the committee for approval. This approval must accompany the close-out report to justify any positive 5 percent deviation.

23.6(3) Retention of records. All financial and program records, supporting documents, statistical records, and other records of the grantee which are relevant to this rule shall be maintained for three

years from the starting date of the grant agreement. This time period will be extended if any litigation, claim, negotiation, audit, investigation, or other action involving the records is initiated before the end of the three-year period. The extension will be for one year past the completion of all actions and the resolution of all issues which resulted in the extension of the period.

23.6(4) Access to records. The records required by this rule shall be accessible to the committee, the auditor of state, or their designees for the retention period established in this rule.

193E—23.7(543B) Adjustments and collections.

23.7(1) Disallowances and adjustments. The closeout of a grant does not affect the committee's right to disallow costs and recover funds on the basis of an audit or other postgrant period review or the grantee's obligation to return any funds due as a result of unexpended funds, refunds, corrections or other transactions.

23.7(2) Collection. Any funds paid to a grantee in excess of the amount to which the grantee is finally determined to be due under the terms of the award constitute a debt to the state of Iowa. Excess amounts are due within 30 days of demand.

These rules are intended to implement Iowa Code Supplement section 543B.54 as amended by 2008 Iowa Acts, Senate File 2250, section 4.

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