**Section 367.760 Financial Assistance Award Termination**

a) Termination by the Agency

The Agency may, by written notice and after consultation with the recipient, terminate the financial assistance award in whole or in part. The following circumstances may be cause for termination of an award:

1) failure of the Illinois General Assembly or a funding source to appropriate or otherwise make available sufficient funding for an assistance agreement;

2) default by the award recipient;

3) failure of the recipient to comply with the terms and conditions of the financial assistance agreement;

4) failure of the recipient to comply with the requirements of Subpart I of this Part;

5) failure to obtain approval of the Agency prior to making project changes;

6) changes in program requirements or priorities.

b) Effects of Termination

Upon termination of the assistance award, the recipient shall refund to the State of Illinois Conservation 2000 Project Fund any unexpended assistance award funds, except for funds required by the recipient to pay for allowable costs for materials and equipment furnished, or for services rendered under an enforceable contract, prior to the effective date of the termination. The provisions of the Illinois Grants Recovery Act [30 ILCS 705] shall be applicable to the recovery of any award funds that the Agency determines have been misspent or are being improperly held by the award recipient.

c) Repayment of Assistance Award

Upon termination by the Agency of an assistance award for any of the reasons set out in subsection (a)(3), (a)(4) or (a)(5) of this Section, the Agency may require that the award recipient repay to the State of Illinois Conservation 2000 Fund any financial assistance funds it has already expended.