(3) contract for services relating to any aspect of the operation of the Program under the procedures required by law for State contracts; [and]

(4) charge and collect:

(i) reasonable application and processing fees; and

(ii) other charges, fees, or reimbursements incidental to Program loans; AND

(5) IF NECESSARY, LIMIT THE CUMULATIVE OUTSTANDING DEBT FOR PROGRAM LOANS MADE TO A TRUST DESCRIBED IN 42 U.S.C. § 1396P(D)(4) TO PRESERVE THE ONGOING FINANCIAL VIABILITY OF THE PROGRAM.

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(a) A Program loan:

(1) may not be made if the Department determines that comparable private financing is available to the prospective borrower; and

(2) may not exceed an amount the Secretary establishes by regulation.

(b) (1) Except as provided under [paragraph] PARAGRAPHS (2) AND (3) of this subsection, a Program loan of more than $5,000 shall be secured wholly or partly by a recorded mortgage or deed of trust on real property.

(2) A Program loan to a political subdivision may be secured by a recorded mortgage, deed of trust on real property, or other security device acceptable to the Department.

(3) A PROGRAM LOAN TO A TRUST DESCRIBED IN 42 U.S.C. § 1396P(D)(4) MAY BE SECURED BY A RECORDED MORTGAGE, DEED OF TRUST ON REAL PROPERTY, OR OTHER SECURITY DEVICE ACCEPTABLE TO THE DEPARTMENT.

(c) Program loans shall be made to:

(1) families of limited income owning and occupying the building to be rehabilitated; or

(2) sponsors or nonprofit sponsors.

(d) The Department may require that Program loans be insured.

(e) A Program loan may cover:

(1) costs of a rehabilitation project, including implementation costs such as appraisal, architectural, and engineering fees; and

(2) closing costs of the Program loan.

(f) The Department may modify the interest rate, the time or amount of payment, or any other term of a Program loan that is in default to facilitate repayment of the Program loan and achieve the purposes of the Program.