

(E) (1) THE DEPARTMENT MAY USE MONEYS FROM THE FUND TO MAKE CONTRIBUTIONS TO LOAN RESERVE ACCOUNTS ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.

(2) CONTRIBUTIONS BY THE DEPARTMENT SHALL BE EXEMPT FROM THE REQUIREMENTS OF TITLE 6, SUBTITLE 2, AND TITLES 11 THROUGH 17, OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) CONTRIBUTIONS MADE FROM THE FUND IN ANY FISCAL YEAR MAY NOT EXCEED \$1 MILLION.

(F) (1) THE ENROLLMENT OF A LOAN UNDER THE CAPITAL ACCESS PROGRAM DOES NOT PLEDGE THE FAITH, CREDIT, OR TAXING POWER OF THE STATE, THE DEPARTMENT, THE NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM, OR THE FUND.

(2) THE STATE, THE DEPARTMENT, THE NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM, AND THE FUND SHALL NOT BE LIABLE FOR ANY LOSSES SUSTAINED BY A LENDER ON AN ENROLLED LOAN EXCEPT TO THE EXTENT OF THE LOAN RESERVE ACCOUNT ESTABLISHED UNDER THE CAPITAL ACCESS PROGRAM BY THE LENDER.

(G) A PROJECT FINANCED BY A LOAN ENROLLED UNDER THE CAPITAL ACCESS PROGRAM SHALL BE LOCATED IN A PRIORITY FUNDING AREA AS REQUIRED UNDER TITLE 5, SUBTITLE 7B OF THE STATE FINANCE AND PROCUREMENT ARTICLE FOR STATE-FUNDED NEIGHBORHOOD REVITALIZATION PROJECTS UNDER THIS ARTICLE.

(H) (1) A LENDER SHALL TREAT A DEFAULT ON A LOAN ENROLLED UNDER THE CAPITAL ACCESS PROGRAM NO DIFFERENTLY THAN THE LENDER TREATS DEFAULTS ON OTHER LOANS MADE OR HELD BY THE LENDER.

(2) AS A CONDITION FOR WITHDRAWAL BY A LENDER FROM A RESERVE ACCOUNT TO COVER LOSSES ON A DEFAULT UNDER AN ENROLLED LOAN, THE DEPARTMENT MAY REQUIRE A LENDER WHOSE LOSSES ON A LOAN HAVE BEEN COVERED IN FULL BY THE RESERVE ACCOUNT TO AGREE TO ASSIGN TO THE DEPARTMENT, OR TO SUBROGATE THE DEPARTMENT TO, ANY OF THE LENDER'S RIGHT, TITLE, AND INTEREST IN AND TO THE LOAN AND ANY COLLATERAL, SECURITY, OR OTHER RIGHT OF RECOVERY IN CONNECTION WITH THE LOAN.

(I) FOLLOWING A DEFAULT UNDER A LOAN ENROLLED UNDER THE CAPITAL ACCESS PROGRAM, THE DEPARTMENT, IN ITS NAME OR IN THE NAME OF THE NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM, MAY ACQUIRE, HOLD, IMPROVE, OPERATE PENDING SALE OR OTHER DISPOSITION, SELL, ASSIGN, EXCHANGE, TRANSFER, CONVEY, LEASE, MORTGAGE, OR OTHERWISE DISPOSE OF OR ENCUMBER REAL OR PERSONAL PROPERTY OR ANY INTEREST THEREIN, OR ANY EVIDENCE OF INDEBTEDNESS PLEDGED AS COLLATERAL FOR THE LOAN, NOTWITHSTANDING THE PROVISIONS OF TITLES 10 THROUGH 17 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.