

01 NCAC 43B .0405 DETERMINATION OF NEED

(a) Federal surplus property is available to eligible organizations and is distributed on a fair and equitable basis with a reasonable time being given to allow for acceptance. The foremost and overriding objective of the state agency is to provide fair and equitable distribution of surplus property available to all eligible participants. To accomplish this objective, principal consideration will be given to written request showing relative needs, relative resources, and relative ability to fully utilize available property.

(b) Relative Need. In determining relative needs of eligible entities, the following factors, among others, will be considered:

- (1) expression of interest by the eligible donee for specific item of property;
- (2) justification of expressed needs defining proposed purposes for use of property;
- (3) indication of whether the needs are continuing or temporary;
- (4) past performance in prompt pick-up and utilization of property;
- (5) record of previous donations of similar or like items to the donee;
- (6) extraordinary needs created by disasters such as storms, floods, fires, etc.

(c) Relative Resources. The following factors may be used in evaluating relative resources of participants who have expressed specific needs:

- (1) availability of funds--whether tax-appropriated funds, federal or state grants, tuition or charges for service, donations or contributions or other sources;
- (2) assessment of financial ability including data pertaining to budget limitations, inability to purchase from other sources, extraordinary economic problems, per capita income of population, assessed property values, economic ranking, and other appropriate data.

(d) Relative Ability to Utilize Property. In determining utilization capability for property needs expressed, the following factors, among others, will be considered:

- (1) statement of utilization potential for requested property,
- (2) plans for continued or temporary use of property,
- (3) capability for repair and maintenance of property.

*History Note: Authority G.S. 143-64.1 to 143-64.5;
Eff. February 1, 1976;
Readopted Eff. February 27, 1979;
Transferred from T01-05C Eff. November 25, 1986;
Transferred from T01-04G Eff. November 1, 1995;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*