

# Sample

## Mark-to-Market Form 10.5 Notification to Owner of Results of Appeal of Market Rent Determination; Transmittal of *Increased* Market Rents and Revised Section 8 HAP Contract

From: OAHP Preservation Office

To: Owner

Transmission: Overnight Hard Copy

\_\_\_\_\_  
(date)

Project Name: \_\_\_\_\_

FHA Number: \_\_\_\_\_

Section 8 HAP Contract Number: \_\_\_\_\_

REMS ID Number: \_\_\_\_\_

Dear Owner:

Based upon your appeal of [insert date], OAHP has reviewed the determination of market rents and has revised the market rents as follows:

| <u>Previous Rents</u> | <u>Rents Determined on Appeal</u> |
|-----------------------|-----------------------------------|
| 1BR \$ _____          | 1BR \$ _____                      |
| 2BR \$ _____          | 2BR \$ _____                      |
| 3BR \$ _____          | 3BR \$ _____                      |
| 4BR \$ _____          | 4BR \$ _____                      |

[Insert other unit sizes if necessary]

The appeal process is now complete. We have attached a revised Section 8 HAP Contract reflecting the above rents, which should be executed and received by the HUD Project Manager **within 10 business days**. You also are required to submit to the HUD Project Manager a new rent schedule reflecting the approved rents and gross rent change certifications for tenants in the project. The effective date of the certifications is **[Insert the date of the last day of the next full month]**. Gross rent change certifications do NOT require recertification of tenant income or expenses and do not affect annual recertification schedules. Contact your HUD Project Manager for further information.

**[If a new Section 8 HAP Contract has already been executed: If the HUD Project Manager does not receive the executed revised Section 8 HAP Contract, the earlier rents will remain in place.]**

**[If a new Section 8 HAP Contract has NOT been executed: Your prior contract has been terminated. You must execute and send the attached contract and provide it to the HUD Project Manager for receipt on or before [insert the due date of 10 business days after the date of this letter], in order to continue receiving Section 8 rent subsidies. If not, HUD will be unable to honor your requisitions and will have no choice but to assume that you intend to opt out of the program.** In order to begin procedures to provide Section 8 tenant-based assistance to the tenants of this property, you will be given a short-term renewal at market rents in order to comply with the one-year Notice requirements to tenants or to provide sufficient time to process tenant-based vouchers. If your decision is to opt out, we strongly urge you to contact your HUD Project Manager immediately.]

In any case, HUD's execution of the Section 8 HAP Contract is conditioned upon the availability of funds.

The address for the HUD Project Manager is:

Administrator

Address

Address

For tracking purposes, please provide a copy of the executed Section 8 HAP Contract to us as well.

If you have any questions about this transaction, please contact [insert PAE contact name] at [insert phone].

Sincerely,

OAHP Preservation Office

cc: HUD Project Manager  
Section 8 Contract Administrator  
PAE

Enclosed: Section 8 HAP Contract (5 copies)