

What is the Mark to Market Program?

Mark to Market is a program designed to bring rents paid by the federal government for housing lower income persons in line with rents paid by other renters.

I'm a Section 8 renter, does that affect me?

If you live in a housing development with property-based Section 8 assistance, it may affect you. If you have Section 8 tenant-based assistance through a state or local Public Housing Agency, it is unlikely to affect you.

I've lived in this property for years and the landlord handles all my Section 8 paperwork, are things going to change?

Many properties have already been through the Mark to Market Program, some properties are exempt. If your property is going through the Mark to Market Program, or is about to do so, you may be affected in several ways.

If the owner is eligible and agrees to participate-

- You will have at least two meetings to seek your input on issues relating to the property.
- You will see the property condition evaluated and provision made for necessary repairs, now and in the future.
- You will continue to pay the same income based rent while you will likely see the government paid portion adjusted.

What if the property has rents that are too high but the landlord isn't eligible for Mark to Market or does not wish to participate?

If the landlord isn't eligible or doesn't wish to participate, the building **could** be sold to someone who is eligible and interested but that is up to the landlord.

What is the landlord's other option?

The landlord's other option is to stop participating in the Section 8 project based rental program.

Why is it his option, wouldn't that hurt me?

It is the landlord's option because he participates under a contract and that contract ends. With advance notice to you, at the end of a contract, the owner may decide not to continue with project-based subsidy. While that would be a change for you, there are special protections for residents in that position.

If I lose Section 8 from the landlord, how am I protected?

HUD provides all the units covered by the contract with the other major type of Section 8, tenant-based voucher assistance, through a Public Housing Agency (PHA), which would provide details on assistance. The PHA will take over the Section 8 paperwork currently handled by your landlord.

With tenant-based assistance, won't I have to look for a new place to live?

This is one of the special protections mentioned before. For Mark to Market properties, the tenant-based vouchers provided are "enhanced" vouchers. "Enhanced" is a way of saying they have special features that generally benefit you.

For example, a family that receives an enhanced voucher has the right to remain in the project as long as the units are used for rental housing and are otherwise eligible for voucher assistance. The landlord can't make you move simply because of the change in subsidy type. In addition, you will now have the option to move away from the property and continue to receive rental assistance if you wish.

For a family that stays in the same property, the payment standard used to calculate the housing assistance payment that is paid on behalf of the family is always the rent the landlord charges, plus any utility allowance, provided the rent is found to be reasonable. Under the enhanced

voucher rules, the rent may exceed the normal PHA payment standard and the subsidy is increased to cover the difference. This means that the landlord's rents can be higher than those normally paid under the tenant-based program without the family having to pay the additional cost.

In some cases, due to family size changes, Section 8 residents may be considered "over-housed". They live in a unit that normally would require the family to pay an additional amount because it is too large for the family by the bedroom size standards established by the PHA. Enhanced voucher rules allow the family to stay in the larger unit (under certain conditions) and receive the full subsidy based on the actual unit rent for an initial one-year period if smaller units aren't available.

Because there are so many details that will affect you, the PHA administering enhanced vouchers will discuss these issues with you personally if you are in an opt-out situation.

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**Office of Multifamily Housing
Assistance Restructuring
(OMHAR)**

A Guide to Transitions

Rental Assistance And Protections For Residents of HUD Section 8 Assisted Housing

The Mark to Market Program

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