

HR 3965

Mark-to-Market Extension and Enhancement Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Housing and Community Development

Introduced: Oct 25, 2007

Current Status: Placed on the Union Calendar, Calendar No. 357.

Latest Action: Placed on the Union Calendar, Calendar No. 357. (Apr 10, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/3965>

Sponsor

Name: Rep. Waters, Maxine [D-CA-35]

Party: Democratic • State: CA • Chamber: House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Frank, Barney [D-MA-4]	D · MA		Oct 25, 2007
Rep. Pryce, Deborah [R-OH-15]	R · OH		Oct 25, 2007
Rep. Baca, Joe [D-CA-43]	D · CA		Oct 31, 2007
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Nov 1, 2007

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Reported By	Apr 10, 2008

Subjects & Policy Tags

Policy Area:

Housing and Community Development

Related Bills

No related bills are listed.

Mark-to-Market Extension and Enhancement Act of 2007 - (Sec. 4) Amends the Multifamily Assisted Housing Reform and Affordability Act of 1997 to: (1) extend the Federal Housing Administration (FHA)-insured Multifamily Housing Mortgage and Housing Assistance Restructuring (Mark-to-Market) program through FY2011; and (2) revise requirements for mortgage restructuring and rental assistance sufficiency plans for units assisted with project-based assistance in eligible multifamily housing projects.

(Sec. 5) Directs the Secretary of Housing and Urban Development (HUD) to make available not less than (currently, not more than) \$10 million annually for preservation and improvement of low-income housing: (1) for which project-based rental assistance, subsidized loans, or specified enhanced vouchers are provided; and (2) for predevelopment assistance to enable transfers of developments to tenant groups, nonprofit organizations and public entities.

Directs the HUD Secretary to implement a grant program for outreach and training of tenants and technical assistance, utilizing performance-based outcome measures for eligible costs incurred.

Prohibits the use of funds for specified political or lobbying purposes. Authorizes the HUD Secretary to impose penalties for noncompliance with program requirements.

(Sec. 6) Authorizes the HUD Secretary to waive the 120% of fair market rent limit, under a mortgage restructuring and rental assistance sufficiency plan, for disaster-damaged eligible projects, subject to specified conditions.

Increases the percentage of units eligible for such a waiver from 5% to 9% of all units subject to restructured mortgages.

(Sec. 7) Provides for treatment of projects covered in whole or in part by a contract for project-based assistance, and financed by a mortgage insured or held by HUD, whose rents on average do not exceed the rent of comparable properties in the same market area. Allows such projects to be treated as eligible multifamily housing projects, at the project owner's request, if the HUD Secretary determines that such treatment is necessary to preserve a project in the most cost-effective manner in relation to other alternative preservation options.

Restricts the authority of the HUD Secretary to grant such treatment to the extent that the number of units in such projects do not exceed 10% of all units for which mortgage restructuring is completed.

(Sec. 8) Increases the maximum adjusted rent level for disaster-damaged eligible projects to 100% of the fair market rents for the relevant market area as they were in effect at the time of the disaster.

Sets the owner contribution toward rehabilitation needs of a disaster-damaged eligible project at not more than 25% of the amount of any assistance received.

(Sec. 9) Revises certain requirements relating to the Secretary's authority to modify or forgive a second mortgage (grant debt relief) in conjunction with the acquisition of a project by a tenant organization or tenant-endorsed community-based nonprofit or public agency.

States that if such a purchaser acquires a restructured project subsequent to the date of recordation of an affordability agreement, that acquisition shall take place within five years after the recordation date, or within two years after enactment of this Act.

(Sec. 10) Authorizes the HUD Secretary to modify the terms of a second mortgage (grant debt relief) with respect to a

project owned by a limited partnership if the the acquiring tenant organization or tenant-endorsed community-based nonprofit or public agency becomes the sole general partner.

(Sec. 11) Revises requirements for renewal of expiring project-based Section 8 contracts to remove moderate rehabilitation projects from the exception to their application (thus subjecting renewal of moderate rehabilitation projects to the same standards as those applying to project-based section 8 contracts).

Requires public agencies to renew Section 8 moderate rehabilitation contracts when requested by owners, without raising rents.

(Sec. 12) Requires the Secretary to provide enhanced Section 8 voucher assistance for each low-income family who, upon expiration or termination (currently, only expiration) of a project-based Section 8 housing assistance contract, is residing in an assisted dwelling unit in the covered project.

(Sec. 13) Amends the United States Housing Act of 1937 to: (1) require the HUD Secretary to make subsidy payments by the first business day of the month, or give a ten-day advance notice of the inability to do so; (2) entitle a project owner to obtain funds from a specified reserve if such a payment is not made within 10 days after the deadline; and (3) require the HUD Secretary to pay the owner interest if a payment is not made within 30 days after the deadline.

Actions Timeline

- **Apr 10, 2008:** Reported (Amended) by the Committee on Financial Services. H. Rept. 110-579.
- **Apr 10, 2008:** Placed on the Union Calendar, Calendar No. 357.
- **Oct 31, 2007:** Committee Consideration and Mark-up Session Held.
- **Oct 31, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Oct 25, 2007:** Introduced in House
- **Oct 25, 2007:** Referred to the House Committee on Financial Services.