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NAHMA Public Policy Positions 110th Congress

Preservation and New Production

S. 131 and H. R. 647-Mark-to-Market Extension Act of 2007.

Sponsors: Sen. Allard (R-CO) and Rep. Waters (D-CA)

NAHMA Position: Support

This bill would extend the Mark-to-Market program for 5 years, through Oct. 1, 2011. More specifically it would amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize through FY2011 the Federal Housing Administration (FHA)-insured Multifamily Housing Mortgage and Housing Assistance Restructuring (Mark-to-Market) program and the Office of Multifamily Housing Assistance Restructuring. The Secretary of HUD would be permitted to waive rent level limits for disaster-damaged eligible projects. Likewise, HUD would be permitted to provide exception rents for up to 9% (currently 5%) of all units subject to restructured mortgages. It makes disaster damaged properties eligible for Mark-to-Market, and to receive exception rents.

Other requirements provide alternative periods of eligibility for nonprofit debt relief if the purchaser acquires the project after the related affordability agreement was recorded. The bill also includes language making properties with below market rents eligible for Mark-to-Market upon the owner's request. This language has been modified since last year in an attempt to respond to industry concerns. NAHMA remains skeptical of this concept, despite our support for the overall bill.

H. R. 127- FHA Multifamily Loan Limit Adjustment Act of 2007.

Sponsors: Rep. Frank (D-MA)

NAHMA Position: Support

This bill would amend the National Housing Act to increase high-cost area and project-based additional mortgage loan limits for Federal Housing Administration (FHA)-insured mortgages for: (1) rental housing; (2) cooperative housing; (3) rehabilitation and neighborhood conservation housing insurance; (4) moderate income and displaced family housing; (5) housing for the elderly; and (6) condominiums. The bill increases FHA's multifamily loan limits from 140 percent of per unit construction costs to 170 percent. In high cost areas they are raised from 170 percent to 215 percent.

H. R. 44-Stabilizing Affordable Housing for the Future Act.

Sponsors: Rep. Velázquez (D-NY)

No position at this time.

This bill seeks to preserve affordable housing opportunities for low-income families, by repealing certain conditions on the authority of the Secretary of HUD to manage multifamily projects and authorizing the Secretary to provide grants and loans from the General Insurance Fund when managing and disposing of properties. The bill also instructs the Secretary to maintain rental assistance payments for dwelling units in any multifamily property program administered by the Secretary.

The bill would amend the Deficit Reduction Act of 2005 to redefine loan market value and property market value with respect to physically distressed properties sold by HUD in discount sales, while repealing the requirement not to take any affordability requirements into account. Instead, it requires the values to be determined using industry standard appraisal practices. Furthermore, it would amend the Multifamily Mortgage Foreclosure Act of 1981 to declare that Congress finds that mortgages transferred by the Secretary to state and local governments should be foreclosed in the same manner as mortgages held by the Secretary.

Finally, the bill directs the Secretary to issue a proposed general rulemaking that applies certain statutory participation and certification requirements to potential purchasers of multifamily housing with a mortgage insured under the National Housing Act, or for which assistance is provided under section 8. The Secretary would have to post on a PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS

World Wide Web site information regarding multifamily housing properties for which federal rental assistance is provided and other rental assistance or a subsidy is provided under a program administered by the Secretary or a mortgage is insured under the National Housing Act .

H. R. 201-Housing Opportunities Made Easier Act, or the HOME Act.

Sponsors: Rep. Rothman (D-NJ)

[NAHMA Position: Support](#)

The bill would authorize the Secretary of Housing and Urban Development to provide 150,000 incremental vouchers for section 8 tenant-based rental assistance in FY 2008 to help meet the housing needs of low-income families and to renew these vouchers annually.

H. R. 202-Housing Authority Funding Fairness Act of 2007.

Sponsors: Mr. Rothman (D-NJ)

[No position at this time.](#)

This bill would authorize the renewal of tenant-based rental assistance vouchers for section 8, revise tenant-based contract renewals by applying an inflation factor and authorizing FY2008-FY2012 appropriations for tenant-based rental assistance (vouchers).

Specifically, the bill would renew all expiring annual contributions contracts for tenant-based rental assistance for relocation and replacement of housing units that are demolished or disposed of; the conversion of section 23 projects; the family unification program; relocation of witnesses in connection with efforts to combat crime in public and assisted housing; enhanced vouchers authorized in connection with the HOPE VI program; mandatory and voluntary conversions of public housing to vouchers; vouchers necessary to comply with a consent decree or court order those that are transferred from another public housing agency; and tenant protection assistance, including replacement and relocation assistance. The bill would also direct the Secretary of HUD to provide the new amounts to any public housing agency, in an amount of up to two percent of the allocation.

H. R. 655- Pathway to Preservation Act of 2007.

Sponsors: Rep. Velázquez (D-NY)

[No position at this time.](#)

This bill would provide for more accurate valuation of multifamily housing properties, and loans for such properties, that HUD sells at a discount to facilitate acquisition by buyers that maintain the properties as affordable housing. The bill would require values to be determined by using industry standard appraisal practices, including consideration of the cost of repairs necessary to comply with minimum safety and building standards and the cost of maintaining the affordability restrictions applicable under the original loan or grant for the property.

Management

H. R. 173-One Strike and You're Out! Act of 2007.

Sponsors: Rep. Lee (D-CA)

[NAHMA Position: Oppose](#)

This bill seeks to protect innocent elderly and disabled tenants in public housing and Section 8 housing from eviction resulting from criminal activity of their household members or guests. The bill would add language so that criminal or drug-related criminal activity that was engaged in by a member of a tenant's household, guest or other person under the tenant's control, would not be grounds to evict an elderly person or person with disabilities will not be evicted as long as the tenant did not know and should not have known of the activity. This would also provide protection to the tenant or member of household who was the victim of the criminal activity.

The bill would also require that each public housing agency shall submit a report annually to the Secretary on the number of persons whose tenancy in public housing of the agency was terminated, and the number of section 8 tenants, because of criminal activity.

NAHMA believes this bill undermines HUD's "One Strike Rule," which protects tenants from drug-related criminal activity. Therefore, we cannot support H.R. 173.