

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**24 CFR Part 888**

[Docket No. FR-4496-N-03]

Fair Market Rents for the Section 8 Housing Assistance Payments Program—Fiscal Year 2000**AGENCY:** Office of the Secretary, HUD.**ACTION:** Notice of Final Fiscal Year (FY) 2000 Fair Market Rents (FMRs) for manufactured home spaces.

SUMMARY: FMRs for the rental of manufactured home spaces in the Section 8 housing choice voucher program are now generally 40 percent of the applicable Section 8 existing housing program FMR for a two-bedroom unit, rather than 30 percent. This reflects the change in the statute (section 545 of the Quality Housing and Work Responsibility Act of 1998) which provides that the rent for the space with respect to which assistance payments are to be made shall include tenant-paid utilities.

This change was made effective in the recent **Federal Register** (October 21, 1999; publication, "Section 8 Tenant-Based Assistance; Statutory Merger of Section 8 Certificate and Voucher Programs; Housing Choice Voucher Program; Final Rule") which revised 24 CFR 888.113.

EFFECTIVE DATE: November 22, 1999.**FOR FURTHER INFORMATION CONTACT:**

Gerald Benoit, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4210, 451 Seventh Street, SW, Washington, DC 20410, telephone (202) 708-0477. For technical information on the development of schedules for specific areas or the method used for the rent calculations, contact Alan Fox, Economic and Market Analysis Division, Office of Economic Affairs, telephone (202) 708-0590, Extension 5863 (e-mail: alan_fox@hud.gov). Hearing-or speech-impaired persons may use the Telecommunications Devices for the Deaf (TTY) by contacting the Federal Information Relay Service at 1-800-877-8339. (Other than the "800" TTY number, telephone numbers are not toll free.)

SUPPLEMENTARY INFORMATION: Section 8 of the United States Housing Act of 1937 (the Act) (42 U.S.C. 1437f) authorizes housing assistance to aid lower income families in renting decent, safe, and sanitary housing. Housing assistance payments are limited by FMRs established by HUD for different areas. In the voucher program, the FMR

is used to determine the "payment standard" (the maximum monthly subsidy) for assisted families (see § 982.503). In general, the FMR for an area is the amount that would be needed to pay the gross rent (shelter rent plus utilities) of privately owned, decent, safe, and sanitary rental housing of a modest (non-luxury) nature with suitable amenities. The FMR for the rent of manufactured home spaces ("pad rent") is referenced in § 888.113(e) and § 982.623 of the housing choice voucher program rule.

Manufactured Home Space Surveys

FMRs for the rental of manufactured home spaces in the Section 8 housing choice voucher program are generally 40 percent of the applicable Section 8 existing housing program FMR for a two-bedroom unit. HUD accepts public comments requesting modifications of these FMRs where 40 percent of the FMRs is thought to be inadequate. In order to be accepted as a basis for revising the manufactured home space FMRs, comments must contain statistically valid survey data that show the 40th percentile space rent (including the cost of utilities) for the entire FMR area. Manufactured home space FMR revisions are published as final FMRs in Schedule D. Once approved, the revised manufactured home space FMRs establish new base year estimates that are updated annually using the same data used to update the other FMRs.

Other Matters*Environmental Impact*

A Finding of No Significant Impact with respect to the environment as required by the National Environmental Policy Act (42 U.S.C. 4321-4374) is unnecessary, since the Section 8 Rental Certificate Program is categorically excluded from the Department's National Environmental Policy Act procedures under 24 CFR 50.20(d).

Regulatory Flexibility Act

The undersigned, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), hereby certifies that this notice does not have a significant economic impact on a substantial number of small entities, because FMRs do not change the rent from that which would be charged if the unit were not in the Section 8 Program.

Federalism Impact

The General Counsel, as the Designated Official under section 6(a) of Executive Order 13132, Federalism, has determined that this notice will not involve the preemption of State law by Federal statute or regulation and does

not have Federalism implications. The Fair Market Rent schedules do not have any substantial direct impact on States, on the relationship between the Federal government and the States, or on the distribution of power and responsibility among the various levels of government.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance program numbers are 14.855, Section 8 Rental Voucher Program and 14.857, Section 8 Rental Certificate Program.

Accordingly, the Fair Market Rent Schedules, which will not be codified in 24 CFR Part 888, are amended as follows:

Dated: December 17, 1999.

Andrew M. Cuomo,
Secretary.

Fair Market Rents for the Section 8 Housing Assistance Payments Program*Schedules B and D—General Explanatory Notes*

1. FMRs for Manufactured Home Spaces

FMRs for manufactured home spaces in the Section 8 housing choice voucher program are 40 percent of the two-bedroom Section 8 existing housing program FMRs, with the exception of the areas listed in Schedule D whose manufactured home space FMRs have been modified on the basis of public comments. Schedule D has been revised to reflect the new 40 percent standard; exceptions that were less than 40 percent of the current FMR have been eliminated, because the area would be better off using 40 percent of the FMR. Once approved, the revised manufactured home space FMRs establish new base-year estimates that are updated annually using the same data used to estimate the Section 8 existing housing FMRs. The FMR area definitions used for the rental of manufactured home spaces in the Section 8 housing choice voucher program are the same as the area definitions used for other FMRs.

4. Arrangement of FMR Areas and Identification of Constituent Parts

a. The exception FMRs for manufactured home spaces in Schedule D are listed alphabetically by State, followed by metropolitan areas and then nonmetropolitan counties.

SCHEDULE D: FY 2000 40TH PERCENTILE FAIR MARKET RENTS FOR MANUFACTURED HOME SPACES IN THE SECTION 8 CHOICE HOUSING PROGRAM: AREAS WITH APPROVED EXCEPTIONS ABOVE 40 PERCENT OF 2-BEDROOM FMR

Area name	Space rent including utilities
California:	
Los Angeles, CA	\$383
Orange County, CA	468
Riverside-San Bernardino, CA	304
San Diego, CA	423
San Jose, CA	489
Colorado:	
Boulder-Longmont, CO	344
Denver, CO	327
Maryland:	
Hagerstown, MD	220
Minnesota:	
Minneapolis-St. Paul, MN-WI	275
Nevada:	
Reno, NV	289
New York:	
Dutchess County, NY	371
Newburgh, NY-PA	349
Rochester, NY	245
Utica-Rome, NY	220
Oregon:	
Portland-Vancouver, OR-WA	284
Deschutes County, OR	259

Areas listed here have approved mobile home space rents higher than 40 percent of the 2 bedroom Fair Market Rent for the area.

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