

# Sample

## Mark-to-Market Checklist of Related Party Agreements

Form 4.2

Project Name: \_\_\_\_\_  
Project Address: \_\_\_\_\_  
FHA Number: \_\_\_\_\_  
Section 8 Expiration Date: \_\_\_\_\_  
REMS I.D. #: \_\_\_\_\_

The owner must identify any related party transactions and relationships affecting the subject property. This covers all contractual relationships involving owner-related parties concerning the operation, maintenance or other regular business of the subject property. Owner-related parties include all organizations and individuals who are related through kinship, marriage, or financial interest to any controlling person or controlling entity. A controlling person or controlling entity is one that controls an owner or purchaser, is controlled by an owner or purchaser, or is under common control with the owner general partner. Controlling persons / entities include, but are not limited to, a general partner of a partnership, a managing member of an LLC, or an officer of either.

Accordingly, the project owner is requested to attach any identity of interest or related contract and provide a brief narrative of each such contract or agreement summarizing the following information:

- Type of Contract or Agreement
- Name of Parties
- Annual Payment
- Length of Contract
- Type of Relationship
- Non-Monetary Compensation

I certify this information to be true and correct.

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**NAME & TITLE**

\_\_\_\_\_  
**NAME OF OWNER/ENTITY**

Public reporting burden for this collection of information is estimated to average 0.5 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. The Office of Multifamily Housing, Office of Recapitalization 451 7th Street SW, Room 6230 Washington, DC 20410. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. Title V of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 1988 (P.L.105-65, 111 Stat. 1384) authorizes the FHA Multifamily Housing Mortgage and Housing Assistance Restructuring Program. HUD implemented a statutory permanent program directed at FHA-insured multifamily projects that have project-based Section 8 contracts with above-market rents. The information collection is used to determine criteria eligibility of FHA-insured multifamily properties for participation in the Mark to Market program and the terms on which participation should occur. The purpose of the program is to preserve low-income rental housing affordability while reducing the long-term costs of Federal rental assistance. While no assurances of confidentiality are pledged to respondents, HUD generally discloses this data only in response to a Freedom of Information request.