



Relocation Assistance Policy

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TABLE OF CONTENTS

1. URA Basics	1
2. Relocation Plan and Budget	2
3. Tenants Who Will Not Be Displaced But May Need Temporary Relocation	
A. General Information Notice	2
B. Notice of Non-Displacement for the Residential Tenant that will NOT be permanently displaced.....	2
C. Payments for Temporary Relocation.....	2
4. Permanent Relocation	
A. General Information Notice	3
B. Notice of Eligibility for Relocation Assistance	3
C. 90-Day (and 30-Day) Notices	3
D. Assistance in Finding Replacement Housing	4
E. Level of Financial Assistance.....	4
F. Assistance with Moving Expenses.....	5
G. Section 8 in Lieu of Relocation Payment	5
5. Notice to Prospective Tenants	5
6. Project Completion	6
7. Sample Letters/Notices	
A. General Information Notice	7
B. Notice to Residential Tenants that will NOT be Displaced.....	8
C. Notice of Eligibility for Relocation Assistance	9
D. Tenant Questionnaire for Assistance.....	11
E. Prospective Tenant Letter.....	12
8. HUD Relocation Form Website	13
9. HUD Relocation Assistance Brochure	14

1. URA Basics

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended, applies to displacement of tenants that results from acquisition, demolition, or rehabilitation for HUD-assisted projects carried out by public agencies, nonprofit organizations, private developers, and others.

A displaced person is someone who has to move because (1) their lease is not renewed at the time of the project; (2) their rent is increased beyond their ability to pay (above 30% of their income); (3) they are not offered a Decent, Safe and Sanitary (DSS) replacement unit; (4) temporary relocation was unreasonable; (5) they were not told about the project; and (6) there was change in use through a federal program (i.e., housing for persons with supportive services).

The federal government takes the rights of tenants in rental rehabilitation properties very seriously. Grantees and developers who are working on HUD-funded projects need to understand that the URA is basic consumer legislation that addresses fairness issues. Tenants whose living circumstances are changed by a project--either by higher rents or involuntary moves--should be protected and compensated.

For any project requesting HOME or other federal funds that will result in displacement, the Applicant (i.e., owners, developers, or property management agencies) must comply fully with all requirements of URA. Copies of the HUD handbook 1378: Tenant Assistance Relocation and Real Property Acquisition are available from the West Virginia Housing Development Fund (the "Fund").

While some funding sources, such as Low-Income Housing Tax Credits (LIHTC), are not considered "Federal Financial Assistance" and do not trigger compliance with URA, Applicants that plan to apply for "layered" funding such as HOME and LIHTC should note that HOME funds offer "blanket URA coverage" for the whole project, even though it may be the LIHTC that is displacing the tenant.

Section 8 Tenants: In accordance with the HUD Project-Based Section 8 regulations, tenants who are currently receiving HUD Project-Based Section 8 cannot be displaced from their homes because of relocation. Incentives may be offered to the tenants to voluntarily relocate, but it will be up to the tenant, not the owner/developer, as to whether they will or will not relocate. Planning early is critical so that you may adjust your application for HOME and/or LIHTC funds to provide for the existing Section 8 tenants.

Planning is critical. Relocation concerns must be thought about early in the process so decisions about rents, construction timing, and project feasibility can be considered before they are a crisis. It must also be noted that the Fund strongly discourages proposals that will result in permanent displacement activities.

2. Relocation Plan and Budget

The Applicant must submit with the full application (1) a current rent roll along with the monthly rent rolls from 4 months prior to the application; (2) for permanent displacement, completed tenant questionnaires for all of the current tenants; (3) a detailed relocation plan describing the manner in which the temporary and permanent displacements of tenants will be handled (for permanent displacements, include with the plan a comparison of the current rents being charged and the proposed rents for the project); and (4) a relocation budget that details the calculations for temporary relocation assistance, and for permanently displaced tenants the rental payment assistance and moving expenses and three (3) comparable replacement housing options.

3. Tenants who will not be Displaced but may Need Temporary Relocation

A. General Information Notice

At the time the application is submitted to the Fund, the Applicant will provide each tenant with a *General Information Notice* which explains that the project has been proposed and cautions the person not to move at this time.

B. Notice of Non-Displacement for the Residential Tenant that will NOT be Displaced

Once the funds have been approved for this project, the Applicant will send to all tenants that will not be permanently displaced a *Notice of Non-Displacement*. This advisory notice will (a) explain that the project has been approved; (b) explain that the person will not be displaced; (c) explain what is to occur when and if the tenant is temporarily displaced (i.e., approximately how long they should expect to be displaced from their current unit, how the Applicant will accommodate them with replacement housing while they are displaced, and how the Applicant will assist them with any moving costs they incur from their temporary move); and (d) explain the approximate time that they will be able to move back into their unit.

C. Payment for Temporary Relocation

The Applicant will be responsible for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily occupied housing and any increase in monthly rent/utility costs at such housing.

4. Permanent Relocation

A. General Information Notice

At the time the application is submitted to the Fund, the Applicant will provide each tenant with a *General Information Notice* which explains that the project has been proposed and cautions the person not to move at this time.

B. Notice of Eligibility for Relocation Assistance

Once the funds have been approved by the Fund, the Applicant will send tenants that are to be displaced a *Notice of Eligibility for Relocation Assistance*. This notice lets tenants know that the project has been approved for funding and lets them know that they will be given at least 90 days advance written notice to move, and also informs them of the amount of rental assistance and moving expenses they are entitled. At this time they will also be given information that will be provided to Fund by the Applicant of at least three referrals to suitable replacement homes. There will also be a questionnaire attached to this notice that needs to be completed by the tenant and returned to let the Applicant know which options they have chosen.

C. 90-Day (and 30-Day) Notices

Each lawful occupant to be displaced must receive at least 90 days' written advance notice from the Applicant before being required to move. This notice cannot be given before the person is issued the *Notice of Eligibility for Relocation Assistance* from the Applicant OR before being notified of the availability of a comparable replacement dwelling. The notice must specify the date by which the property must be vacated or if the date is unknown, indicate the earliest date that the occupant may be required to move. If no date is specified in the 90-day notice, the occupants must be informed that they will receive at least 30 days' advance written notice of the specific date of the move.

Occupants may be required to move on less than 90 days' notice if the Applicant determines that the notice is impracticable (i.e., the unit they are occupying is a health or safety hazard). However, the needs of the Applicant's schedule DOES NOT represent sufficient reason to issue a notice to vacate before providing the family with 90 days' prior notice to move.

A 90-day notice is not needed if (a) there is no structure or personal property on the property; (b) the occupant makes an informed decision to relocate and vacates the property without prior notice; (c) the occupant owns the property and enters into a negotiated agreement for delivering possession of the property (i.e., delivery of possession is specified in the purchase contract); or (d) the occupant will not qualify as a displaced person under the Handbook.

If the occupants are still in the unit after the date specified in the notice, the displacing agency or property owner has the right to displace them using due process established by State law.

Please note that improper handling of notices can cause unnecessary costs to the Applicant which may cause the project to be infeasible.

D. Assistance in Finding Replacement Housing

The Applicant is required to assist the tenant in locating decent, safe, and sanitary (DSS) replacement housing. Replacement units must be comparable to the unit they occupied prior to displacement, but it must meet the needs of the household. For example, if a four-person family occupied a two-bedroom unit, but due to the age and gender of the occupants they really needed a three-bedroom unit, a three-bedroom unit would be the comparable. The amenities of the comparable unit may be negotiable (i.e., if a two-bedroom unit is not needed to accommodate the household, a larger one-bedroom unit may be used as a comparable if the tenant agrees).

The rent for the comparable unit must be comparable; that is, if utilities were included at the previous unit, they should be included in calculating the rent for the replacement unit. The unit must be inspected and meet, at a minimum, the Housing Quality Standards (HQS). These replacement dwellings should have been researched at an early stage so that this information can be included in the Notice of Eligibility for Relocation Assistance.

E. Level of Financial Assistance

The Applicant must provide the tenant to be displaced with financial assistance sufficient to cover any increase, if any, between the rent and utilities paid at the current unit from the cost of rent and utilities from their new unit, either chosen by the tenant or a comparable replacement unit, if that cost is lower. That monthly need, if any, is multiplied by 42 to determine the total amount that the tenant will receive. This amount will be paid directly to the tenant. The Applicant must provide the assistance in four (4) lump sum installments within one year from the date of the displacement. The tenant has up to 12 months after the *Notice of Eligibility for Relocation Assistance* has been issued to rent (or buy) a replacement unit and receive rental payment assistance. For example, if a tenant cannot find a replacement unit within the 90 days that he/she has been issued a *Notice of Eligibility for Relocation Assistance*, it is possible that this displaced tenant might move into a temporary living situation with family or friends. This displaced tenant would then have up to a year to find a replacement unit and claim the rental assistance from the displacing agency. In this scenario, the rental payment amount would still be based upon the difference between the tenant's rent at the unit vacated and the rent for the

comparable replacement unit that was originally given to the tenant by the Applicant.

F. Assistance with Moving Expenses

Displaced tenants and families may choose to be paid for their moving expenses by either the basis of actual, reasonable moving costs and related expenses or according to a fixed moving cost schedule. The questionnaire sent to the tenant with the *Notice of Relocation Eligibility Assistance* will state which option the tenant prefers. The Actual Moving Expense is the option where the tenant may be reimbursed for actual reasonable moving costs by a professional mover plus related expenses, or if they chose to move themselves. Reimbursement will be limited to a 50-mile distance in most cases. Related expenses involved in the move include: (1) packing and unpacking personal property; (2) disconnecting and reconnecting household appliances; (3) temporary storage of personal property; (4) insurance while property is in storage or transit; (5) transfer of telephone service and other similar utility reconnections; or (6) other expenses considered eligible by the Fund. All expenses must be considered necessary and reasonable by the Fund and supported by paid receipts or other evidence of expenses incurred.

The other option is the fixed moving expense based on the current Schedule of Allowances prepared by the Federal Highway Administration. This schedule of allowances is broken out by state, based on the number of rooms in the displacement dwelling, and whether the person owns and must move the furniture. For example, a family to be displaced who currently occupies a four-room unit and who owns their own furniture will be entitled to a fixed payment of \$1,200. The moving expenses and dislocation allowance should be paid by the Applicant to the tenant by the tenant's move date.

G. Section 8 in lieu of Relocation Payments

If the Applicant is able to provide, and the tenant accepts, an offer of Section 8 rental assistance subsidies (i.e., project-based unit, voucher, or certificate), then no cash rental assistance will be required to be paid by the Fund. The Applicant is obligated to provide the tenant with referrals to suitable, available rental replacement dwellings where the owner is willing to or already participates in the Section 8 program, and the period of authorized assistance is at least 42 months. The Applicant is still responsible for assisting the tenant with moving expenses as outlined above.

5. Notice to Prospective Tenants

This notice informs any prospective tenant of the fact that the Applicant has applied for federal funding to acquire and/or rehabilitate this property and lets them know that if the funds are approved, the potential tenant may be displaced. In this

scenario, this notice informs the prospective tenant that he/she would not qualify as a “displaced person” and therefore will not be eligible to receive any assistance or benefits described in this relocation policy. The Applicant must notify the Fund of any potential tenant BEFORE the prospective tenant signs a lease for a unit within the project.

6. Project Completion

The Applicant must provide the Fund with a final rent roll for all tenants occupying the property at the time of project completion. If this rent roll differs from the rent rolls received earlier, the Applicant must explain why the tenant(s) is no longer an occupant. Please be prepared to submit evidence that the tenant(s) moved of their own accord and not for reasons related to the federal funds received.

GENERAL INFORMATION NOTICE (SAMPLE)

To be sent on or before HOME RFP submission date.

Date

First Name, Last Name
Address
City, State, Zip Code

Dear Mr./Ms. _____:

On _____ (date), _____ (Applicant) submitted an application to the West Virginia Housing Development Fund for financial assistance to rehabilitate the property which you occupy at _____ (address).

This notice is to inform you of your rights under federal law. If the application is approved and federal assistance is provided for the rehabilitation, you may be eligible for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. **However, do not move now.** This is not a notice to vacate the premises. You should continue to pay your monthly rent to your landlord because a failure to pay rent and meet your other obligations as a tenant may be cause for eviction and loss of relocation assistance. You are urged not to move or sign any agreement to purchase or rent a new unit before receiving formal notice of your eligibility for relocation assistance. If you move or are evicted before receiving such a notice, you may not receive any assistance. Please contact me before you make any moving plans.

If the project is approved and you are eligible for relocation assistance, you will be given advisory services, including referrals to replacement housing, and at least 90 days' advance written notice of the date you will be required to move. You would also receive a payment for moving expenses and may be eligible for financial assistance to help you rent or buy a replacement home. This assistance is more fully explained in the enclosed brochure, "Relocation Assistance to Tenants Displaced from Their Homes".

If for any reason any other person moves into this unit with you after this notice, your assistance may be reduced. If you have any questions, please contact me at (XXX) XXX-XXXX.

Again, this is not a notice to vacate and does not establish eligibility for relocation payments or other relocation assistance. If the project does not get approved, you will be notified in writing.

Sincerely,

John Smith
Housing Project Development, Inc.
Enclosure

NOTICE TO RESIDENTIAL TENANTS WHO WILL NOT BE DISPLACED (SAMPLE)

To be sent on or before HOME RFP submission date.

Date

First Name, Last Name

Address

City, State, Zip Code

Dear Mr./Ms. _____:

On _____, you were notified that the owner of your building had applied for assistance to make extensive repairs to the building. On _____, the owner's request was approved, and the repairs will begin soon.

This is a notice of non-displacement. You will not be required to move permanently as a result of the rehabilitation. This notice guarantees you the following:

1. You will be able to lease and occupy your present apartment (or another suitable, decent, safe, and sanitary apartment in the same building/complex) upon completion of the rehabilitation. Your monthly rent will remain the same or, if increased, your new rent and estimated average utility costs will not exceed 30% of the gross income of all adult members of your household. Of course, you must comply with the reasonable terms and conditions of your lease.
2. If you must move temporarily so that the repairs can be completed, you will be reimbursed for all of your extra expenses, including the cost of moving to and from the temporarily-occupied unit and any additional housing costs. The temporary unit will be decent, safe, and sanitary, and all other conditions of the temporary move will be reasonable.

Since you will have the opportunity to occupy a newly-rehabilitated apartment, I urge you NOT TO MOVE (if you do elect to move for your own reasons, you will not receive any relocation assistance). We will make every effort to accommodate your needs. Because federal assistance is involved, you are protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

If you have any questions, please call me at (XXX) XXX-XXXX. Remember, do not move before we have a chance to discuss your eligibility for assistance. This letter is important to you and should be retained.

Sincerely,

John Smith
Housing Project Development, Inc.

NOTICE OF ELIGIBILITY FOR RELOCATION ASSISTANCE (SAMPLE)

To be sent on the date the HOME Development Agreement is executed.

Date

First Name, Last Name
Address
City, State Zip code

Dear Mr./Ms. _____:

On _____, you were notified of the proposed plans to acquire/rehabilitate the site you occupy. This is to let you know that the project has been approved.

This is a Notice of Eligibility for Relocation Assistance. To carry out the project, it will be necessary for you to relocate. However, **you do not need to move now**. You will not be required to move without at least **90 days' advance written notice** of the date by which you must vacate. When you do move, you will be entitled to relocation payments and other assistance in accordance with the Uniform Relocation Assistance Act.

As of the date of this notice, you are now eligible for relocation assistance, including:

Payment for Moving Expenses: You may choose either (1) a payment for your actual reasonable moving and related expenses, or (2) a fixed moving expense and dislocation allowance.

Replacement Housing Payment: You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors, including the cost of a "comparable replacement home", the monthly rent and average cost of utility services for your present home, and 30% of your average gross household income.

Listed below are three "comparable replacement homes" that you may wish to consider:

	Address	Rent	Utility Costs	Contact Person
1.				
2.				
3.				

We believe that the unit at _____ (address) is the most representative of your present home. The average rent cost for the units listed above is \$_____. The difference between this average rent and your current rent of \$_____ is \$_____ (this is known as the rental "gap" payment). Under the West Virginia Housing Development Fund Relocation Assistance Policy, you are entitled to receive this gap payment for a period of 42 months in 4 lump sum payments within one year from the date of displacement. Based on the information that we have available regarding your current rent, you may be eligible for a rental assistance payment of \$_____ (42 x \$_____).

(name)
(date)
Page Two

This is the maximum amount that you would be eligible to receive. It will be paid in 4 lump sum payments within one year from the date of displacement.

Please note that it is your right to locate your own replacement housing. However, any unit that you chose will have to be inspected by this office to ensure that it is decent, safe, and sanitary before any replacement gap payments are paid to you. Additionally, if the rent for the unit you choose is **less** than the average rents of the replacement housing options which were referred to you, the rental assistance payment will be based on the difference between your current rent and the lesser rent of the unit that you are choosing.

Remember, in order to obtain a replacement housing payment you must move to a decent, safe, and sanitary home within one year after you vacate your present home. Therefore, do not commit yourself to rent or buy a unit until it has been inspected.

Contact us immediately if you do not agree that these referral replacement units are suitable. The basis for selecting these units will be explained. If necessary, other units will be found. We will not base your payment on any unit that is not a "suitable replacement home".

Please complete the enclosed questionnaire form and return it in the self-addressed, stamp envelope. The process for relocation benefits to you cannot start until I receive this form.

I want to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments and housing referrals, counseling and other services are available to you.

If you have any questions, please contact me at (XXX) XXX-XXXX or 1-800-540-4241.

This letter is important to you and should be retained.

Sincerely,

John Smith
Housing Project Development, Inc.

TENANT QUESTIONNAIRE FOR ASSISTANCE

Completed questionnaires are to be submitted with the HOME RFP application.

Name: _____
Address: _____

MOVING EXPENSES

After fully understanding my options, I have chosen to be reimbursed for: (please mark one)

Actual Moving Allowance. I understand that if I pick this option, I will be reimbursed for the following moving expenses: (1) transportation for me and my family; (2) packing, moving, and unpacking of my household goods; (3) disconnecting and reconnecting telephone and cable; (4) storage of my household goods if needed; (5) insurance for replacement value of my property during the move and necessary storage; and (6) the replacement value of property lost, stolen, or damaged in the move (but not through my neglect) if insurance is not reasonably available.

Fixed Moving Allowance. I understand that if I pick this option, I will receive an allowance which is based on the number of rooms in my home at _____ (name of current complex) or the number of rooms of furniture I will be moving as shown on the attached schedule, which is \$_____.

REPLACEMENT HOUSING PAYMENTS

I have been advised of my options for replacement housing. I have chosen to: (please mark one)

- Take the comparable replacement home at _____
Move In Date: _____ New Address: _____
- Take the comparable replacement home at _____
Move In Date: _____ New Address: _____
- Take the comparable replacement home at _____
Move In Date: _____ New Address: _____
- Take housing that I have found on my own.

If you have chosen "Take housing that I have found on my own" please complete the next section.

Address of your new home: _____

- One-bedroom apartment/townhouse
 Two-bedroom apartment/townhouse
 A rental home
 Other

If "Other", please explain: _____

Average monthly rent: _____

Average monthly utilities: _____

Move-In Date: _____

Are you available to have this unit inspected? yes no

(If you choose yes, please list a time and date below for that inspection)

Time: _____ Date: _____

I understand that if after the inspection, they do not find that the replacement housing that I have found is decent, safe, and sanitary, that I will not receive any replacement housing payments for this unit, but that I have a year from the date that I moved from my current unit to either take one of the comparables listed above or find another unit to be inspected in order to still receive these payments.

Signature _____

Date _____

PROSPECTIVE TENANT LETTER (SAMPLE)

Date

First Name Last Name

Address

City, State Zip code

Dear Mr./Ms. _____:

We have been informed by the _____ (*Applicant*) that you are considering occupying a unit at _____ (*Property Name and City*). This notice is to let you know that on _____ (*Application Date*), _____ (*Applicant name*) submitted an application to the West Virginia Housing Development Fund for financial assistance to rehabilitate the project located at _____ (*Address*).

Because federal funds are being used to rehab this project, only tenants that were in residence at the time of application are eligible for assistance if they are to be moved temporarily or permanently during the rehab process. Since you are considering moving in after the application date, this notice is to let you know that if you are to be moved temporarily or permanently, the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act of 1970, as amended, will not apply to you and you will not be eligible for any assistance. You need to take this into consideration **before you enter into any lease agreement and occupy a unit at the above address.**

Please read this notice carefully prior to signing a rental agreement and moving into the project. If you have any questions about this notice, please give me a call at (XXX) XXX-XXXX. Once you have read and have understood this notice, please sign the attached statement if you still desire to lease the unit and return it to me in the enclosed self-addressed, stamped envelope.

Sincerely,

John Smith
Housing Project Development, Inc.

HUD RELOCATION FORM WEBSITES

- **Form HUD-40061, Selection of Most Representative Comparable Replacement Dwelling**
http://www.hudclips.org/sub_nonhud/html/pdfforms/40061.pdf
- **Site Occupant Record—Residential**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x08.pdf
- **Site Occupant Record—Nonresidential**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x09.pdf
- **Record of Advisory Assistance and Other Contacts**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x10.pdf
- **Form HUD-40054, Claim for Moving and Related Expenses**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x11.pdf
http://www.hudclips.org/sub_nonhud/html/pdfforms/40054.pdf
- **Form HUD-40057, Claim for Replacement Housing Payment for 180- Day Homeowner**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x13.pdf
http://www.hudclips.org/sub_nonhud/html/pdfforms/40057.pdf
- **Form HUD-40058, Claim for Rental Assistance or Down payment Assistance**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x14.pdf
http://www.hudclips.org/sub_nonhud/html/pdfforms/40058.pdf
- **Form HUD-52580, Section 8 Existing Housing Program Inspection Checklist**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x15.pdf
(old Section 8 program form) or
http://www.hudclips.org/sub_nonhud/cgi/pdfforms/52580.pdf
(new Housing Choice Voucher Program form)
- **Form HUD-40055, Claim for Actual Reasonable Moving and Related Expenses**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x16.pdf
http://www.hudclips.org/sub_nonhud/html/pdfforms/40055.pdf
- **Form HUD-40056, Claim for Fixed Payment in Lieu of Payment for Actual Moving and Related Expenses**
http://www.hudclips.org/sub_nonhud/cgi/pdf/13780x17.pdf
http://www.hudclips.org/sub_nonhud/html/pdfforms/40056.pdf
- **HUD- 1042- CPD; Pamphlet**
www.hud.gov/Relocation

**RELOCATION ASSISTANCE
TO TENANTS DISPLACED
FROM THEIR HOMES**

**U.S. Department of Housing
and Urban Development**
Office of Community Planning
and Development
www.hud.gov/relocation

Introduction

This booklet describes the relocation payments and other relocation assistance provided under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) to tenants displaced from their homes. This includes any family or individual that must move as a direct result of rehabilitation, demolition or acquisition for a project in which Federal funds are used.

If you are notified that you will be displaced, it is important that you **do not move** before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

This booklet may not answer all of your questions. If you have more questions about your relocation, contact the Agency responsible for the project. (Check the back of this booklet for the name of the person to contact at the Agency.) Ask your questions before you move. Afterwards, it may be too late.

Summary of Relocation Assistance

As an eligible tenant displaced from your home, you will be offered the following advisory and financial assistance:

- **Advisory Services.** This includes referrals to comparable and suitable replacement homes, the inspection of replacement housing to ensure that it meets established standards, help in preparing claim forms for relocation payments and other assistance to minimize the impact of the move.
- **Payment for Moving Expenses.** You may choose either a:
 - * **Payment for Your Actual Reasonable Moving and Related Expenses, or**
 - * **Fixed Moving Expense and Dislocation Allowance, or**
 - * **A combination of both, based on circumstances.**
- **Replacement Housing Assistance.** To enable you to rent, or if you prefer, buy a comparable or suitable replacement home, you may choose either:

- * **Rental Assistance**, or
- * **Purchase Assistance**.

If you disagree with the Agency's decision as to the relocation assistance for which you are eligible, you may appeal that decision.

General Questions

How Will I Know I Am Eligible For Relocation Assistance?

You should receive a written notice explaining your eligibility for relocation assistance. You should not move before receiving that notice. If you do, you may not receive relocation assistance.

How Will The Agency Know How Much Help I Need?

You will be contacted at an early date and personally interviewed by a representative of the Agency to determine your relocation needs and preferences for replacement housing and advisory services. The interviewer will ask certain questions about you and other members of your household, including questions about your income. It is to your advantage to provide the information so that the Agency can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

How Soon Will I Have To Move?

If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice of (1) at least one "comparable replacement home" that is available to you and (2) the earliest date by which you must move.

What Is A Comparable Replacement Home?

A comparable replacement home is:

- Decent, safe, and sanitary.
- Functionally equivalent to (and equal or better than) your present home.
- Actually available for you to rent.
- Affordable.
- Reasonably accessible to your place of employment.
- Generally as well located with respect to public and commercial facilities, such as schools and shopping, as your present home.
- Not subject to unreasonable adverse environmental conditions.
- Available to all persons regardless of race, color, religion, sex, or national origin.

What is Decent, Safe, and Sanitary Housing?

Decent, safe, and sanitary housing is housing that:

- Meets applicable housing and occupancy requirements.
- Is structurally sound, weathertight, and in good repair.
- Contains a safe, adequate electrical wiring system.
- Has adequate living space for the occupants.
- Has a kitchen with a sink, hot and cold running water, and connections for a stove and refrigerator (if you were displaced from a housekeeping unit).
- Has a separate, complete bathroom with hot and cold running water.
- Has heating as required by climatic conditions.
- Has an unobstructed exit to safe, open space at ground level.
- Meets standards protecting occupants from lead-based paint hazards.
- If you are person with a physical disability, is free of any barriers which would preclude your reasonable use of the unit.

Will The Agency Help Me Find A Replacement Home?

Yes. You will be provided with referrals to housing that has been inspected to ensure that it meets established standards. If possible, you will be referred to at least three comparable replacement homes. The maximum financial assistance for which you may qualify will be based on the cost of the most representative comparable replacement home that is available to you. Promptly after you become eligible for relocation assistance, the Agency will inform you of such unit and the maximum payment available.

Once the Agency representative has a clear understanding of your needs and preferences, he or she will work with you to assure that you are given the best possible choice of housing. The Agency will offer you appropriate transportation to inspect these units.

If you would like to move to government-owned housing or obtain a Housing Choice Voucher (HCV) let the Agency representative know of your interest. Generally, an eligible displaced person receives preference for such long term housing assistance. You will be given assistance in completing any required application forms.

What If I Find My Own Replacement Housing?

You have every right to find your own replacement housing. However, before you rent or buy, ask the Agency to inspect the unit to make sure that it is decent, safe, and sanitary. If the housing unit is not decent, safe, and sanitary, you will not receive a replacement housing payment.

What If I Encounter A Problem In Obtaining Housing Of My Choice?

If you encounter a problem in buying or renting housing of your choice, notify the Agency immediately. The Agency will look into the matter and try to resolve it. You will receive this help whether you were referred to the housing unit or found it yourself.

If you are unable to buy or rent a housing unit because of discriminatory practices on the part of a real estate broker, rental agent, lender, or a property owner, the Agency will help you file a formal housing discrimination complaint with the U.S. Department of Housing and Urban Development or the appropriate State or local fair housing agency.

What Other Services Will I Receive?

In addition to help in obtaining a comparable replacement home, other assistance, as necessary, will be provided in order to minimize the impact of your move. This assistance may include referral to appropriate public and private agencies that provide services concerning housing financing, employment, health, welfare, or legal assistance. The range of services depends on the needs of the person being displaced. You should ask the Agency representative to tell you about the specific services that will be available to help you and your family.

What Is a Payment For Actual Reasonable Moving and Related Expenses?

You may choose to receive a relocation payment to cover the reasonable cost of your move. If you choose a Payment For Actual Reasonable Moving And Related Expenses, you may include in your claim the reasonable and necessary costs for:

- Transportation for you and your family.
- Packing, moving and unpacking your household goods.
- Disconnecting and reconnecting household appliances and other personal property (e.g., telephone and cable TV).
- Storage of household goods, as may be necessary.
- Insurance for the replacement value of your property during the move and necessary storage.
- The replacement value of property lost, stolen or damaged in the move (but not through your neglect) if insurance is not reasonably available.

The Agency will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for any costs that you incur, so keep all your receipts. Select your mover with care. The Agency can help you select a reliable and reputable mover.

You may elect to pay your moving costs yourself and be repaid by the Agency or, if you prefer, you may have the Agency pay the mover. In either case, let the Agency know before you move.

What Is A Fixed Moving Expense And Dislocation Allowance?

If you choose a Fixed Moving Expense and Dislocation Allowance, you will receive an allowance which is based on the number of rooms in your home or the number of rooms of furniture you will be moving, as shown on a schedule. The Agency has a copy of the schedule and will help you decide whether choosing this allowance is in your best interest.

If you do not have a large amount of personal property to move, this payment should be more advantageous. No special documentation is required to support your claim. You need only move your personal property and complete the appropriate claim form in order to receive your payment.

How Much Rental Assistance Will I Receive?

You may be eligible to receive Rental Assistance for a 42-month period. The assistance is computed in the following manner:

The assistance needed for one month is determined by subtracting the "base monthly rent" for your present home from the cost of rent and utilities for your new home (or a comparable replacement home, if that cost is lower). That monthly need, if any, is multiplied by 42, to determine the total amount that you will receive. This amount will be paid directly to you. The Agency must provide the assistance in monthly installments or other periodic payments. Generally, the base monthly rent for your present home is the lesser of: (1) the monthly rent and average monthly cost for utilities, or (2) thirty (30) percent of your average monthly gross household income, if you are low-income based on HUD income limits.

Examples: Let's say that the monthly rent and average cost for utilities for your present home are \$250; the monthly rent and estimated average utility costs for a comparable replacement home are \$350; and your monthly gross income is \$700. In this case your "base monthly rent" would be \$210 because you are low-income and that amount (30 percent of your income) is less than the monthly cost of rent and utilities at your present home (\$250).

- If you rent a replacement home for \$360 per month, including estimated average monthly utility charges, you will receive \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home (\$210) and the cost for a comparable replacement home (\$350)).
- If you rent a replacement home for \$310, including estimated average monthly utility charges, you will receive \$4,200. That amount is 42 times \$100 (the difference between the "base monthly rent" for your present home (\$210) and the actual cost of your new home (\$310)).

To qualify for rental assistance, you must rent and occupy a decent, safe, and sanitary home within one year after the date you move. However, the Agency will extend this period for good cause.

If I Decide to Buy, Rather Than Rent, How Much Assistance Will I Receive?

If you buy a replacement home, you may be eligible for assistance to make a down payment equal to the amount you would receive if you rented a comparable replacement home (i.e., 42 times the amount obtained by subtracting the "base monthly rent" for your present home from the monthly rent and estimated average monthly utility costs for a comparable replacement home). A down payment assistance payment will be paid in a lump sum.

Example: Assuming the information in the prior examples, the downpayment assistance payment would be \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home (\$210) and the monthly rent and estimated average monthly utilities cost for a comparable replacement home (\$350). The full amount of the payment must be applied to the purchase of the replacement dwelling.

Must I File A Claim To Obtain A Relocation Payment?

Yes. You must file a claim for each relocation payment. The Agency will, however, provide you with the required claim form, help you to complete it, and explain the type of documentation, if any, that you must submit in order to receive the payment.

If you must pay any relocation expenses before you move (e.g., a security deposit when you sign a lease for your new home), discuss your financial needs with the Agency. While refundable deposits are not covered by URA payments, you may be able to obtain an advance payment to meet these costs. An advance payment may be placed in "escrow" or paid directly to a contractor to ensure that the move will be completed on a timely basis.

You must file your claim within 18 months after the date you move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, ask the Agency to extend this period.

Be careful not to confuse this 18-month period with the 12-month period within which you must rent (or buy) and occupy a replacement dwelling in order to be eligible for a replacement housing payment.

You will be paid promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

Will I Have To Pay Rent To The Agency Before I Move?

If the Agency acquires the property in which you live, you may be required to pay a fair rent to the Agency for the period between the acquisition of the property and the date that you move. Such rent will not exceed the market rent for comparable properties in the area.

Do I Have To Pay Federal Income Taxes On My Relocation Payments?

No. Section 216 of the URA states that you need not report relocation payments as part of your gross income for Federal tax purposes. For information on State or local income taxes, you should check with the State or local income tax office in your area or with your personal tax advisor.

What If I Don't Receive The Required Assistance. Can I Appeal?

If you disagree with the Agency's decision as to your right to relocation assistance or the amount of a payment, or the adequacy of the housing to which you have been referred, you

may appeal the decision to the Agency.

The Agency will inform you of its appeal procedures. At a minimum, you will have 60 days to file your appeal with the Agency after you receive written notification of the Agency's determination on your claim. Your appeal must be in writing. However, if you need help, the Agency will assist you in preparing your appeal.

If you are a low- or moderate-income person and are dissatisfied with the Agency's determination on your appeal, you may have an additional right to request administrative review of that decision (e.g., by HUD or the State).

You can expect a fair decision on any appeal. However, if you are not satisfied with the final administrative decision on your appeal, you may seek review of the matter by the courts.

I Have More Questions. Who Will Answer Them?

If you have further questions after reading this booklet, contact the Agency and discuss your concerns with an Agency representative.

Agency :

Address:

Office Hours:

Telephone No.:

Person to Contact: