

# ATTACHMENT L: UNIFORM RELOCATION ASSISTANCE & REAL PROPERTY ACQUISITION ACT (URA)

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## MINIMIZING DISPLACEMENT

Consistent with the other goals and objectives of this part, the Tri-Cities HOME Consortium will ensure that it has taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted with HOME funds. To the extent feasible, residential tenants **must** be provided a reasonable opportunity to lease and occupy a suitable, decent, safe, sanitary, and affordable dwelling unit in the building/complex upon completion of the project.

## TEMPORARY RELOCATION

Residential tenants that are required to relocate temporarily due to the project must be reimbursed for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from temporary housing and any increase in monthly rent/utility costs. They must also be provided appropriate advisory services, including reasonable advance written notice of:

- The date and approximate duration of the temporary relocation.
- The location of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period.
- The terms and conditions under which the tenant may lease and occupy a suitable, decent, safe, and sanitary dwelling in the building/complex upon completion of the project.
- Written notice that they will receive reimbursement for reasonable out-of-pocket expenses incurred in connection with the temporary relocation.

## RELOCATION ASSISTANCE FOR DISPLACED PERSONS

A displaced person (defined below) must be provided relocation assistance at the levels described in, and in accordance with the requirements of the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)* (42 U.S.C. 4201–4655) and [49 CFR part 24](#) (see URA in the *Federal Requirements* section). A “displaced person” must be advised of their rights under the Fair Housing Act and, if the comparable replacement dwelling used to establish the amount of the replacement housing payment to be provided to a minority person is located in an area of minority concentration, the minority person also must be given, if possible, referrals to comparable and suitable, decent, safe, and sanitary replacement dwellings not located in such areas.

The term displaced person means a person (family individual, business, nonprofit organization, or farm, including any corporation, partnership or association) that permanently moves from real property or permanently moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a project assisted with HOME funds.

## INELIGIBILITY

A person does not qualify as a displaced person if they have been evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable federal, State or local law, or other good cause, and the Consortium determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance. The effective date of any termination or refusal to renew must be preceded by at least 30 days advance written notice to the tenant specifying the grounds for the action.

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They are also ineligible if they moved into the property after the submission of the application but, before signing a lease and commencing occupancy, were provided written notice of the project, its possible impact on the person (e.g., the person may be displaced, temporarily relocated, incur a rent increase), and the fact that the person would not qualify as a “displaced person” (or for any assistance under this section) as a result of the project.

- They are ineligible under [49 CFR 24.2\(g\)\(2\)](#); or
- HUD determines that the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.

The Consortium may, at any time, ask HUD to determine whether a displacement is or would be covered by this rule.

### **RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

The Subrecipient shall comply with the requirements of 24 CFR part 42, subpart C. The acquisition of real property for a project is subject to the URA and the requirements of [49 CFR part 24, subpart B](#).

### **APPEALS**

A person who disagrees with the Consortium’s determination concerning whether the person qualifies as a displaced person, or the amount of relocation assistance for which the person may be eligible, may file a written appeal of that determination with the Consortium. A low-income person who is dissatisfied with the Consortium’s determination on their appeal may submit a written request for review of that determination to the HUD Field Office.