

THE HFA INSTITUTE 2020

HUD Relocation & Real Estate Division (RRED)

ACQUISITION AND RELOCATION POLICIES AND PROCEDURES



National Council of
State Housing Agencies

HOME and
Housing Trust
Fund
JANUARY 12 – 14



Housing Credit
JANUARY 14 – 16



MRBs and
Other Federal
Homeownership
Programs
JANUARY 15 – 17



Section 8 and
Other Federally
Assisted
Multifamily
Housing
JANUARY 15 – 17





Who We Are ?

HUD's Office of Community Planning and Development (CPD)

Departmental delegated authority for the URA and Section 104(d)

CPD's Office of Affordable Housing Programs - Relocation and Real Estate Division (RRED) administers role

RRED is comprised of Headquarters staff in DC and Regional Relocation Specialists in the field

RRED – DC Headquarters Staff

Will Rudy – Director

Sheba Cousins – Deputy Director

Bryan O'Neill – Senior Relocation Specialist

Regional Relocation Specialists

I - Nancy Johnson

II - Emie Eshmawy

III - Mike Szupper

IV - Regina Montgomery

V - Maureen Thurman

VI - Sara Neira

VII - Ursula McLendon

VIII - Jade Santoro

IX - Jay Smith

X - Lori Martin

DR/TX - Brie Coleman

DR/PR & USVI - Cari Palerm

HUD Office Locations



What's The URA?

**UNIFORM RELOCATION ASSISTANCE AND
REAL PROPERTY ACQUISITION POLICIES
ACT OF 1970, AS AMENDED (URA)**

**CROSS CUTTING FEDERAL LAW – 49 CFR
PART 24**

**MINIMUM FEDERAL REQUIREMENTS FOR
ACQUISITION & RELOCATION**

Proposed URA Rulemaking

URA Notice of Proposed Rulemaking – 90 Day Public Comment Period (March 17, 2020)

<https://www.hudexchange.info/news/ura-notice-of-proposed-rule-making/>

<https://www.federalregister.gov/documents/2019/12/18/2019-25558/uniform-relocation-assistance-and-real-property-acquisition-for-federal-and-federally-assisted>



URA Video Overview

<https://www.hudexchange.info/trainings/courses/ura-overview-video/>

What's Section 104(d)?

**Section 104(d) of the Housing and
Community Development Act of
1974, as amended (section 104(d))**

**Federal Regulation – 24 CFR Part
42**

**RARAP, Relocation & 1-for-1
Replacement Housing
Requirements**

Only 2 HUD Programs Subject to Section 104(d)

Community
Planning &
Development
(CPD)

Public and Indian
Housing (PIH)

Housing

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)





Section 104(d) Video Overview

<https://www.hudexchange.info/trainings/courses/section-104-d-overview/>

Distinctions between URA and Section 104(d) Applicability

➤ **URA**

- Source of Funds – Federal
- Project Activity – Acquisition, Rehabilitation and/or Demolition.
- Requires assistance to displaced persons.

➤ **Section 104(d)**

- Source of Funds – CDBG and/or HOME.
- Activity – Demolition and/or Conversion of housing that rents at or below the local FMR's for another purpose and results in the displacement of low-income people (80% of AMI).
- Requires assistance to low-income renters and replacement of units lost in project.

Congressional Intent

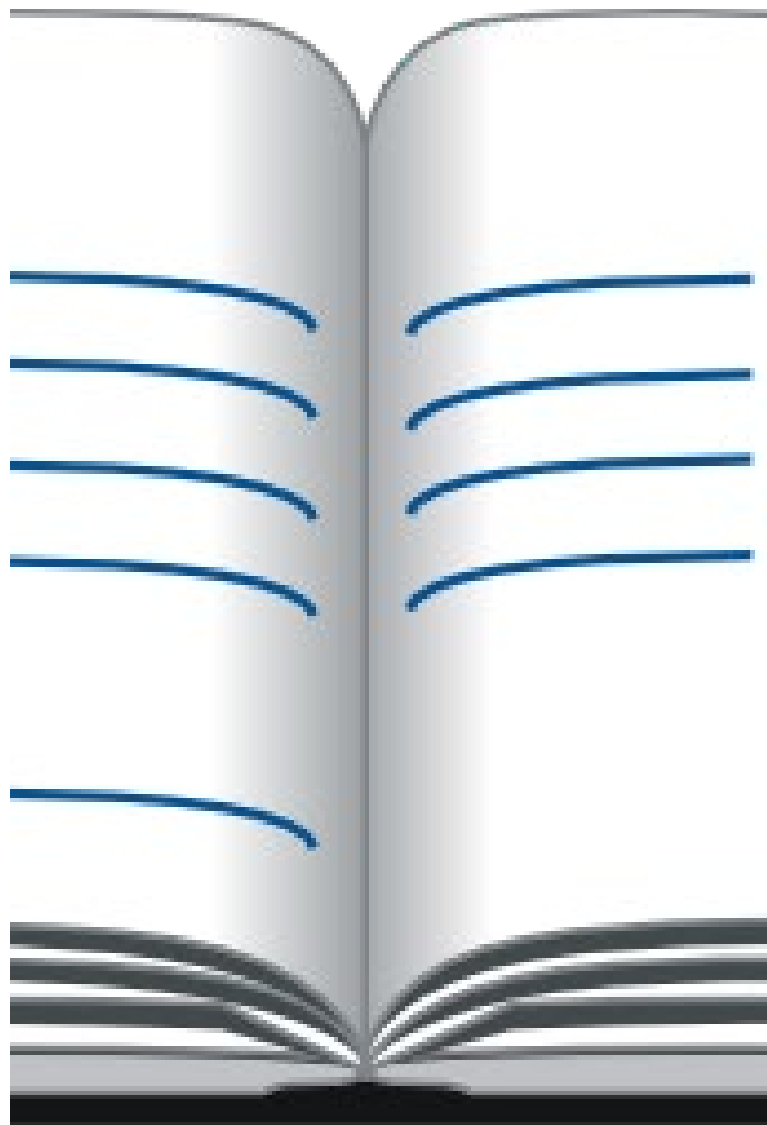
What is a URA Project?

- Safeguard people whose real property is required or who are required to move.
- URA provides for fair and equitable treatment and just compensation.
- Any activity or series of activities undertaken by a Federal agency or with Federal financial assistance received or anticipated in any phase of an undertaking, in accordance with the Federal funding agency guidelines. (49 CFR 24.2(a)(22))
- ❖ Section 104(d) does not include definition of “Project.” (refer to program regulations).

Does the URA and Section 104(d) Apply?

- Use of state funds to demolish property and displace commercial business.
- Use of federal funds to acquire property.
- Use of HOME funds to rehabilitate housing that will also require the temporary displacement of tenants.
- Use of CDBG and HOME funds to acquire and demolish an apartment building. Units are occupied and rent for below the local market rate. Tenants will be permanently displaced.
 - Program regulations can vary by HUD program (See HUD Handbook 1378, [Appendix A](#))

NOTE: Persons who qualify as displaced under Section 104(d) may choose assistance under 104(d) or the URA.



Acquisition and Relocation Policies and Procedures are Important

Explain Agency policy related to funding projects that may require URA compliance.

- Many HUD monitoring findings attribute to the lack of policies and procedures.
 - A road map for staff administering such projects.
 - Explain requirements for developers seeking funding, for instance, relocation plan, demonstrated expertise.
 - Eliminates appearance that Agency's approach is arbitrary.
 - Explain the Appeal Process.
 - Describe Optional Relocation Policy
 - Address project indicators to consider hiring a relocation consultant.

Who Should be Involved in Developing Policies and Procedures?

Community Development and Housing Agency

Public Housing Authority

Developers of Affordable Housing

Legal Services Organization

City Attorney's Office

Previously Relocated Household

Representative from the Business Community

Others

Development of Policies and Procedures

- Would the Agency consider projects that require:
 - Involuntary Acquisition?
 - The permanent displacement of tenants?
 - Commercial displacement?

- Would the Agency:
 - Allow CDBG and/or HOME funds to pay for related acquisition and relocation costs?
 - Give greater consideration to projects that allow for the on-site relocation of tenants?

- Does the Agency:
 - Have the internal staff capacity?
 - Ability to invest in the necessary training?
 - A clear understanding of when it should hire a relocation consultant, i.e., size, scope and/or complexity?

Hiring a Relocation Consultant

The Agency should:

1. Determine consultant's qualifications based on the scope of the project.
 2. Make the consultant aware of local policies and procedures.
 3. Calendar meetings to review project status, especially as relates to displaced persons.
 4. Require that the final relocation files are complete, accurate, retained and ready for an audit.
- Remember: Agency remains obligated to ensure compliance with the URA and, as applicable, Section 104(d).

Budgeting

What is the scope of the project?

Projects that:

Involuntary as opposed to voluntary acquisition may be more expensive.

Permanent displacement vs temporary relocation of households likely to be more expensive.

Displacement of businesses may require specific expertise and be more expensive.

Having to comply with Section 104(d), i.e., requiring permanent displacement of tenants and replacement of housing on one-for-one basis generally more complex and costly.

Record Keeping Requirements

- Good record keeping includes:
 - General project folder;
 - Description of project scope of work;
 - Project relocation plan;
 - Individual household files;
 - Intake sheets with household demographics;
 - Diary of communication with affected persons;
 - Copies of all notices, written communication, proof of service and receipt of same;
 - Documentation of housing choice and payment whether URA or Section 104(d) as applicable;
 - Copies of leases or purchase related documents;
 - Copies of payments for moving costs and replacement housing payments.

CPD Web Training Initiative

URA the HUD Way - Web Training

Basic training on the URA & Section 104(d) – **It's Free!**

8 Planned Modules on specific topics

Module 1 – URA Overview currently available

Module 7-Temporary Relocation currently available

Certificates are available upon each module completion

URA the HUD Way Link:

<https://www.hudexchange.info/trainings/ura-the-hud-way/>

URA the HUD Way Web Training

located
on the
HUD Exchange

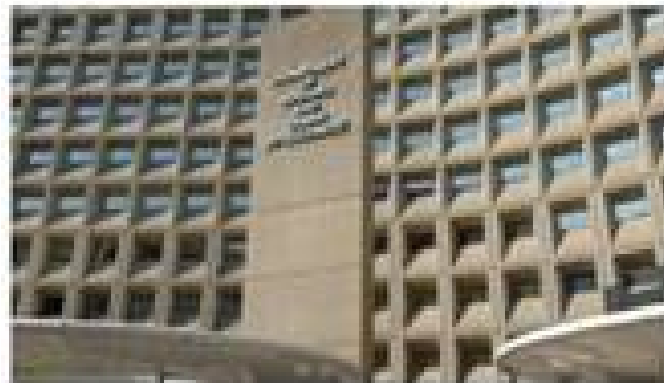


[Video Introduction to the URA](#)

This animated video provides a brief overview of the URA and the HUD Exchange, commencing the modules below.

[Resumen de Ley de Asistencia Uniforme de Bienes Raíces de 1970](#)

Este video animado provee una breve visión de conjunto de la Ley de Asistencia Uniforme y de La Política de Adquisición de Bienes Raíces de 1970 en los programas y proyectos del Departamento de Vivienda (en las siglas en inglés).



[Module 1: URA Overview](#)

This module provides a basic overview of URA requirements and provides a brief history on the URA's purpose and of HUD Exchange information for users to recognize when HUD funds are used.

[Quiz and Feedback](#)



[Module 7: Temporary Relocation](#)

Temporary relocation due to acquisition, rehabilitation, or other HUD Exchange activities is subject to the URA. The goals of this module are to identify the general HUD requirements applicable, identify the general HUD requirements applicable, and identify the impact of temporary relocation on households and the reimbursable expenses for temporary relocation.

[Quiz and Feedback](#)

HUD Resources

HUD's Real Estate Acquisition & Relocation Website

<https://www.hudexchange.info/programs/relocation/>

Laws & Regulations

Policy and Guidance

HUD RAP Newsletters

Forms & Publications

Training

Contacts

HUD Handbook 1378 – Tenant Assistance, Relocation and Real Property Acquisition

https://www.hud.gov/program_offices/administration/hudclips/handbooks/cpd/13780

HUD's Acquisition & Relocation Mailing List

<https://www.hudexchange.info/mailinglist/>



Wrap Up & Questions