

HOME and CDBG Residential Displacement and Relocation Assistance Policy

Projects funded with HOME are subject to the Uniform Relocation Act which establishes procedures for temporary and permanent relocation requirements. In addition, projects involving demolition of housing units affordable to low-income persons is subject to Section 104(d). As required by HUD, the City of Eugene has established a specific Residential Displacement and Relocation Assistance Policy, which is stated below. This policy applies to projects funded with CDBG and HOME funds.

The Residential Displacement and Relocation Assistance Policy was developed by the Consortium pursuant to federal regulations. This policy applies to permanent and involuntary displacement of residents caused by activities directly funded by the Community Development Block Grant Program and the HOME Investment Partnerships Program. The policy outlines the steps which Eugene intends to take to minimize displacement.

First and foremost, the selection process for all projects will require that project proposals fully reference the issues of displacement and that budgets include relocation costs if displacement is anticipated. Careful consideration will be given when selecting projects which will cause displacement. The Consortium will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low or moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(b)(1) and the Cranston-Gonzalez National Affordable Housing Act, as described at 24 CFR 92.353.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Consortium will make public and submit to the HUD Field Office the following information:

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by the size (number of bedrooms) that will be provided as replacement dwelling units;
- A time schedule for the commencement and completion of the demolition/conversion;
- The source of funding;
- A time schedule for the provision of replacement dwelling units; and,
- The basis for concluding that each replacement dwelling unit will remain low/moderate income dwelling unit for at least 10 years from the initial date of occupancy.

The Consortium will provide the full scope of relocation assistance and benefits, as required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

For acquisition/rehabilitation activities, emphasis will be placed on minimizing displacement by phasing the work or otherwise allowing for continuing occupancy during and after the acquisition/rehabilitation. Owners will be responsible for paying the cost of relocation, permanent or temporary, should displacement of tenants occur. Relocation costs are includable as part of the acquisition/rehabilitation loan or grant, but can greatly increase the cost of the project. The Consortium will provide relocation assistance and services and also provide oversight and guidance to owners and tenants of acquired or

rehabilitated properties under provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Persons will not be displaced because of their particular race, color, religion, sex, age, disability, national origin or familial status. The City of Eugene and the Eugene-Springfield Consortium have a policy of nondiscrimination in providing information, counseling, referrals, or other relocation services to persons displaced by acquisition/rehabilitation activities.

A Tenant Assistance Policy has been developed by the City of Eugene pursuant to federal regulations. This policy applies to tenants who are either physically or economically displaced by activities using Community Development Block Grant and HOME Investment Partnerships Program. Residential tenants are to be provided assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

All tenants receive:

- Timely information and proper notification regarding assistance and benefits available.
- Advisory services.

All eligible permanently and involuntarily displaced tenants may receive:

- A minimum 90 day notice, except in cases of eviction for cause or life hazard.
- A payment for actual, reasonable, and documented moving costs, or
- A fixed payment according to the current HUD-approved fixed payment schedule.
- In addition, eligible displaced tenants may qualify for a housing assistance payment. The payment is based on the replacement housing cost less a percent of the tenant's monthly income for low-income households, or, the comparable unit cost less the current housing cost for over-income households. The housing assistance payment will be sufficient to enable an eligible tenant to rent a comparable replacement dwelling.

This displacement policy defines a comparable replacement dwelling as one which is available at the time of displacement, decent, safe and sanitary, affordable, comparable in size for the household's needs; and, in an area or environment not generally less desirable than the unit from which they are displaced. The comparable unit cost is established by the Owner at the time the Notice of Eligibility for Relocation Benefits is mailed.

Because Eugene and Springfield's rental housing market fluctuates significantly based on the University of Oregon schedule, there may be cause to re-evaluate comparable units. At a certain time of year, there may be many comparable units at a certain price, but as the units get leased up, there may no longer be units available at that price. If displaced tenants cannot find replacement housing in the comparable unit price range within 30 days of their 90-day Notice to Relocate deadline, the Consortium may find new comparable units to use as a basis for the housing assistance payment.