

Displacement, Relocation and Acquisition: The Uniform Relocation Act and Section 104(d)

NOTE: The URA and Section 104(d) requirements are complex. Consultation with HOME staff prior to acquisition negotiations and application to VHCB is suggested. Additionally, VHCB policy prohibits permanent displacement, especially of lower income households. The Board may choose to make exceptions to this policy if a property is being converted to service enriched housing for a special population and an acceptable plan is developed to relocate existing residents. Any project which has the potential to trigger permanent displacement requires discussion with HOME staff prior to application.

HOME projects are subject to relocation requirements under two separate acts: the Uniform Relocation Assistance and Real Property Act Policies Act of 1970 (URA) and Section 104(d) of the Housing and Community Development Act of 1974. Each of these acts places different obligations on recipients of HOME funds. Understanding how relocation requirements are triggered, how to meet the obligations, the costs and alternative ways to structure a project to minimize relocation costs is important.

As a general philosophy, HUD assisted activities should take reasonable steps to minimize displacement. This means:

- ⇒ Evaluating any relocation or displacement issues as part of project feasibility determinations.
- ⇒ Assuring that residential occupants of buildings to be rehabilitated are offered an opportunity to return.
- ⇒ Planning rehabilitation projects in stages to minimize temporary relocation and resident disruption.
- ⇒ Meeting all HUD notification requirements in a timely fashion so that families do not move without having been informed about project plans and their rights.

Failing to notify families early in the process may trigger permanent displacement benefits.

***Please see “Attachment A” and follow the link to HUD’s URA Handbook for more information, and contact HOME staff with questions.**