GEORGIA DEPARTMENT *of* COMMUNITY AFFAIRS

2026 DCA Relocation Manual

GEORGIA HOUSING CREDIT PROGRAM

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Contact

Contact the Relocation Team at RelocationReview@dca.ga.gov.

Purpose

The Georgia Department of Community Affairs (DCA), on behalf of the Georgia Housing and Finance Authority (GHFA), the state housing agency, requires that all projects that receive a Federal Tax Credit Allocation must ensure that all reasonable steps are taken to minimize the displacement of persons (families, individuals, businesses, farms and/or nonprofit organizations) as a result of the construction or rehabilitation of a development. This manual explains policies and processes that recipients of State Tax Credit, must follow and implement. Federal and program specific funds must follow the displacement and relocation directives from the prevailing fund source. This manual is not a substitute for the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) of 1970 or programs' regulations

DCA will review Applications and relocation and displacement activities for compliance with the DCA, IRS, and HUD policies and regulations. If DCA is the direct recipient of HUD funds, it is responsible for enforcing compliance on applications with DCA-allocated HUD funding and tax credits.

While developing an Application and determining feasibility, Applicant is encouraged to adjust unit designations to minimize displacement. In determining whether displacement can occur, DCA will review the underwriting and the impact of the proposal on the residents, the affected businesses, nonprofits, and farms, and on the entire community. Any displacement of existing residents is subject to DCA's prior approval.

If, at any point, DCA's policies are not adhered to, DCA reserves the right to the following actions depending upon the severity and nature of the particular circumstances:

- Halt relocation until cured
- Delay or Fail threshold review of Application
- Delay delivery of draw requests and/or 8609s until issues are resolved
- Deem the Applicant ineligible to participate in all DCA programs in one or more future years

Applicable Regulation and Eligibility

DCA requires relocation review and assistance for residents and non-residential tenants to all developments with tenants, including businesses, nonprofits, and farms. The following requirements must be met:

- Minimize displacement of existing residents and non-residential tenants.
- Advise them of their rights.
- Provide relocation advisory services.

- Compensate residents and non-residential tenants for relocation made necessary by such activities. And,
- Residents and non-residential tenants dissatisfied with determinations or benefits have the right to submit grievances for review and appeal determinations.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and Section 104(d) are the most common federal guidelines which apply to affordable housing development relocation. However, they may not be exclusively applicable. Requirements for program-specific funding (HOME, NHTF, and CDBG) and federal funds not allocated by DCA (such as RAD) can be found in their respective guidance manuals and notices.

This relocation manual supersedes all previous manuals for policy guidance.

Advisory Services

Applicant's Relocation Specialist

DCA requires that the Applicant engage a Relocation Specialist to provide the following relocation advisory services to work with Residents to:

- determine the most appropriate relocation/displacement strategy.
- understand the Relocation/Displacement Plan and why they must relocate.
- understand the benefits/assistance they will receive. And,
- understand their protections and rights under DCA.

Advisory services are encouraged to be completed by a third party, such as a nonprofit, advocacy group, relocation specialist, or local government. The entity providing advisory services must have prior experience in face-to-face community engagement among the tenancy served.

The Applicant's Relocation Specialist's overview/resume must be submitted at Application. The overview must show experience in direct, in-person interactions with Residents and the history of providing relocation guidance and implementing assistance.

Advisory Services

Services should include the following:

- Relocation Plan Development
    - Determine the most appropriate relocation/displacement strategy. Write the Relocation Plan and complete the Relocation Displacement Workbook.
- Claims, Payments, and Grievances
    - Respond to grievances promptly. Refer Residents to DCA.
    - Prepare and process tenant claims.
- Resident Consultation and Service Administration
    - Inform the tenants of their rights and refer them to appropriate contacts.

- Gather and complete household data information using the Tenant Income Certification (TIC), HUD 50058/50059, or the DCA Household Data Form and submit the relevant relocation information in provided workbook.

No Coercion:

Applicants may not request or coerce Residents to waive their rights to payments and services. Applicants may only provide incentives to Residents who accept relocation assistance if these incentives are in addition to entitled relocation assistance and if it is documented outside of the project budget. Source documentation is required and specifies the lines of communication.

Waiver of Assistance: DCA may accept a written statement from the displaced person that states that they have chosen not to accept some or all of the payments or assistance to which they are entitled. Any such written statement must include:

- A signed copy of delivered notices

The statement must specifically identify which assistance or payments they have chosen not to accept. The statement must be signed and dated and may not be coerced by the Applicant, Project Team, or any Project Team Participants, including Applicant's Relocation Specialists. And

Resident explanation of why they chose to move.

Non-Responsive Households

If a household that is required to relocate ceases to respond to advisory services and/or notifications prior to the relocation date, the applicant should confirm that the household continues to occupy the property. If the household has already vacated the property, the applicant is responsible for documenting to DCA that the move was voluntary.

Good faith efforts must be made to contact and locate a household that does not readily respond to relocation requests and advisory services. A household is considered non-responsive after:

A minimum of three (3) attempts using the last known contact information that results in no meaningful reply. Attempts should be thirty days or less.

At least one (1) request to the applicant for updated contact information or other assistance contacting the household that does not produce new information and / response from the household.

Communicate

Follow required notification and advisory service procedures to minimize the risk that families leave the property because they lack information or are not informed of the project's relocation plans or their rights.

Tenant Notice Requirements

Applicants are responsible for informing impacted residents of their rights, sending the required information and notices, and providing relocation assistance. Information should be presented in an easy-to-understand format, fostering communication during the work process through regular notices.

All notices must be delivered in a timely manner. Notices must be personally served with a signature receipt or sent by certified or registered first class mail, return receipt requested. Samples of notices and posters are included on the DCA website. They must be clear and easily understood, as well as translated into all primary languages spoken by Residents.

It is recommended that resident communication:

- Use applicable DCA-provided templates
    - Adjust notices to reflect individual households' needs and assistance.
    - Translate notices (if applicable) to preferred language and reading accommodations.
- Include the Applicant's Relocation Specialist and/or Applicant contact information (phone, email, and physical address). And,
- Be personally served with a signature receipt or sent by certified or registered first class mail, return receipt requested.

If the development has any HUD funds on it, including HOME or Project Based Rental Assistance (PBRA), URA and/or RAD guidance and notices may apply. Consult with the DCA Relocation Team to ensure what guidance to follow.

Notices

Notice of Application

The Notice of Application informs all occupants of a possible project and of their rights under the DCA Relocation Manual and other applicable regulations.

This notice advises the household not to move at this time and advises them of the likelihood of potential relocation or displacement.

This notice must be provided at least 15 days before the Tax Credit Application submission to DCA.

If an Application was previously denied, the of Application must include the following "This is the (ie. Second, third, etc.) application for funding to rehabilitate/redevelop the building in which you live. Please disregard previous notices regarding redevelopment."

A draft of the Notice of Application must be submitted at Application with a list of the tenants who have received and signed for the Notice of Application.

Relocation Notification Poster

Within 15 days after award, the Applicant or property manager must post at least One (1) relocation notification poster in the project rental office and one (1) poster in each building clearly visible inside the building entrance. These must:

- Remain in place for the duration of the relocation period when residents are living on the property;
- Be replaced if damaged or destroyed; and
- Be at least 11 by 17 inches and a minimum 14-point font or greater to ensure its readability.
- Relocation notification poster must include:
    - The dates of the relocation and construction.
    - Relocation Specialist Contact information.
    - The procedures for obtaining guidance and assistance
    - General terms of the moving and housing assistance.
    - Options to appeal.

Notice of Permanent Displacement

Notice provided to persons who will be permanently displaced. It must be distributed more than 90 days before the moving date.

This Notice must be specific to the person and their situation so that they will have a clear understanding of the type and amount of payments and/or other assistance they may be entitled to claim. The Notice must include the following:

- At least three options for Comparable Housing;
- The terms of the moving and housing assistance;
- The estimated amount of assistance based on the displaced person's individual circumstances and needs;
- The procedures for obtaining the assistance; And,
- Options to appeal.

Notice of Temporary Relocation

Notice provided to persons who will be temporarily relocated and not permanently displaced for a project.

Such persons, however, may be required to move to another unit onsite or offsite temporarily while the property is developed.

If an accurate and timely Notice was provided before a tenant moves and the tenant voluntarily moves before the designated date, the tenant is presumed to be ineligible for relocation assistance.

- It must be distributed more than 90 days before the moving date.
- Notice must include the following:
    - The terms and length of the moving and housing assistance.

- Rent upon return.
- Any projected changes to lease terms at lease renewal.
- Any change in house rules, community standards, and other policies. And,
- Whether tenant will not return to the same unit and if not, specifics about the different Return Housing.

Notice of Moving Date/30 Day Notice

Must be provided at least 30 days prior to the date by which tenants must move.

Informs tenants of the specific date by which they must move and moving logistics for Permanent Displacement or any Temporary Relocation circumstances.

If permanent displacement, Comparable Housing that is still available for the resident's moving date if needed.

Notice of No Relocation

If Applicant does not receive award and/or sale of property does not go through, Applicant should provide written notice to residents to inform them of the change and that there will no longer be potential to move.

Notice of Property Acquisition and Rehabilitation

Notifies possible new residents:

the development may be rehabilitated or demolished and reconstructed and that they may not be eligible for relocation assistance.

The status of their potential housing and possible displacement.

The notice must be signed by the tenant acknowledging the receipt of the notice and their assistance status.

Resident Engagement

The Applicant is encouraged to participate in the following engagement methods. DCA has the discretion to engage Residents as part of the redevelopment process and can choose which methods are applied.

Interviews

If resident is unable to meet in a public space, then arrange a phone call or visit their home (if resident and relocation specialist are comfortable). These one-on-one meetings should cover the following:

- Provide information about the project, the Relocation/Displacement Plan and why they must relocate.

- Determine the needs and preferences of the Residents to be relocated and ask for their thoughts or suggestions.
- Obtain basic information regarding household composition and income.
- Identify potential barriers or challenges to the relocation.
- State the benefits/assistance which the person may be eligible to receive; and assistance can include referrals to community organizations or other assistance.
- Their protections and rights under DCA and HUD policy as applicable.

Surveys

Distribute a property/redevelopment survey:

- DCA can provide a standard survey template to be able to distribute among all Residents at the property.
- The survey (either paper, electronic, or both), should be distributed (either mailed out, hand-delivered, texted, or emailed) by property managers with return envelopes and stamps.
- Surveys will also need to be brought to each meeting for Residents to take in person if they did not already complete it.
- DCA and Applicant will receive all results.
- Ask for their thoughts or suggestions for the new development.

Meetings

Host Engagement Meetings at the Property. When public meetings are held:

- Residents must have the option to organize, advertise, and meet onsite. Property Management/Applicant/Owner must not hinder resident organizing and may not participate unless invited by the organizing Residents.
- The meeting room and presentation must be accessible and understandable to all persons in the intended audience, regardless of disability or limited English language proficiency.
- Residents must be given at least 7-day notice for any meeting.
- There must be livestream capabilities or access to a recorded video for all in-person meetings.
- Meetings should guide Residents of what to expect in the redevelopment process.
- Large posters for group brainstorming and discussion are recommended along with individual property maps for Residents to mark ideas on.
- Applicant should make a genuine effort to incorporate any feasible Resident's recommendations into redevelopment plan and submit changes to DCA.
- Applicant should report back on Resident's suggestions, show changes that were made to plans in accordance with feedback from the meetings, and what final steps are moving forward.

DCA may require Applicant to incorporate other resident recommendations or adjust budget items to accommodate for certain recommendations they deem feasible.

**COVID Adjustments: Meetings must have virtual options for COVID-based circumstances. Applicants must follow local and state ordinances regarding COVID 19 safety protocol. In the event no in-person meetings are held, a poster will be displayed in the leasing office or another high traffic community area to allow Residents to write their suggestions.

Grievances

The Applicant must inform residents of their right to submit grievances, such as relocation assistance determinations, to the Owner and directly to DCA. Grievances may be submitted to DCA via email at: relocationreview@dca.ga.gov.

The following must be included in all notices: Owner and Relocation Specialist email, phone numbers, and mailing address.

DCA will confirm receipt of grievance within fifteen (15) business days and will make a determination within thirty (30) days of receiving Owner's response and both parties supporting documentation.

Appeals

The Owner must inform residents of their right to appeal grievance determinations and provide the appropriate contact information. Residents must be allowed no less than sixty (60) days to file appeals with DCA after receipt of written notification of the Owner's determination. Residents must be permitted to inspect and copy all pertinent material as it relates to their own file and tenancy (to include, but not limited to, any application, lease, written correspondence, lease violation record, etc.), except any document or record which the Owner can show in good faith is classified as confidential. For residents with communication barriers or who otherwise require assistance in preparing an appeal, the Relocation Specialist must provide such assistance directly or through an appropriate third party at no cost to the resident.

All appeals submitted to DCA must include reference to the Pre-Application or Application ID name and location of the development. DCA will confirm receipt of the appeal request within fifteen (15) days. DCA may request additional information from the Owner or the resident requesting appeal at any stage during the review.

DCA will review appeals and make determinations within thirty (30) days of receipt unless the review process demands more time. A copy of DCA's determination will be sent to the Owner and the resident requesting the appeal.

If DCA is unable to make a determination or if DCA's determination is not deemed satisfactory to the tenant requesting the appeal, DCA will forward the review or appeal and the complete file to the HUD Regional Specialist for determination of eligibility for HUD review. Those determined ineligible for HUD review will be informed of their right to seek judicial review of DCA's decision.

Temporary Relocation

For all tax credit developments - the following guidance is not a substitute for the requirements of the Internal Revenue Code (IRC) Section 42.

A Development may require persons to be displaced from their dwellings due to the rehabilitation and/or construction of the units. Relocation benefits must be made available for all Residents. All Temporary Relocation must include a plan that will be reviewed and approved by DCA Relocation. Applicants must maintain compliance with existing program monitoring rules when determining eligibility for existing households.

Temporarily Relocated Residents should return to the same unit if possible, or another comparable unit onsite.

Resyndication

Resyndication and relocation efforts are naturally associated with each other. As stated in the Compliance Manual, DCA expects all developments to enlist the assistance of a Tax Credit Specialist and consultants to ensure the first-year documentation and processes are completed accordingly. Tax Credit rules and regulations to consider around relocation situations are:

- Grandfathering of existing residents
- Applicable Income limits
- Safe Harbor Income Testing
- Rent limits
- Developments with existing restrictions in either current LURCs and LURAs which remain on the property until the end of their stated term, should be considered when reviewing relocation options.

Displacement

For purposes of determining eligibility as a "displaced person", the date of the tax credit application for the development in question is the date a project begins. No displacement can occur without DCA approval of a Pre-Application Waiver or Project Concept Change (PCC).

Any displacement of existing Residents and Non-Residential Tenants is subject to DCA's prior approval. Adjustments to the Application, which may affect the underwriting and feasibility of the development, may need to be considered to minimize displacement.

Multifamily Rehabilitation

The Applicant must make every effort to minimize displacement. While developing an application, determining feasibility, and throughout the construction period, the Applicant must identify ineligible

Residents based on Tax Credit Eligibility Determination who will be permanently displaced because of the proposed development and construction process. Applicant must then adjust unit mix and funding designations to minimize displacement. In determining whether displacement can occur, DCA will review the underwriting and the impact of the proposal on the Residents and on the community.

Demolition/New Construction

This applies to all Residents and Non-Residential Tenants with leases and agreements to live and work on the property and will not receive compensation for its sale. Meaning households, businesses, farms, and non-profits which cannot return to the property upon completion, as a direct result of demolition/new construction for a project.

DCA must review and approve the permanent displacement of all displaced entities prior to moving through a waiver request at Pre-Application or through a Project Concept Change - even if prior agreements and/or understandings exist. The Applicant is responsible for proving that residents and tenants are ineligible for relocation assistance. To do so, Applicant must submit the documentation to DCA for each non-displaced permanent move from tax credit Application date to Placed-In Service (due at the subsequent submission date).

Permanent displacement assistance is dependent on the circumstances of each project and may include advisory services, finding a comparable new location and moving assistance. Permanent displacement assistance and a proposed plan must be explained in the Permanent Displacement Waiver request and approved by DCA prior to displacement and without coercion to leave.

Housing Assistance

General Requirements

If a Resident is required to move off site and is deemed eligible for either temporary relocation or permanent displacement, Applicant must:

- Provide advisory services to help determine the best relocation housing options. And,
- Provide Comparable Replacement Dwelling or Temporary Housing, as applicable.

All Temporary Housing and Comparable Replacement Dwellings must be:

- DSS Housing: All dwellings must be “decent, safe, and sanitary.”
- Functionally equivalent to the displacement dwelling, meaning it performs the same functions, and provides the same utility. Does not need to possess every feature of the displacement dwelling, but the principal features such as appliances, amenities, and number of bedrooms must be present (unless the resident desires other features).
- Adequate in size to accommodate residents.
- In an area not subject to unreasonable adverse environmental conditions.

- In a location generally not less desirable than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and reasonably accessible to the person's place of employment. And,
- Within the financial means of the displaced person if permanent displacement will be made an option.

Temporary Relocation Housing Options

Off-Site Temporary Housing:

List at least three sites in the Relocation Plan that meet conditions outlined in this manual, with names, addresses, current number of vacancies and bedroom sizes:

- If households have accessibility needs, identify whether sites accommodate those needs or identify additional sites that do.
- Application: Use projected locations or actual (if available). *See DCA Market Study Manual.* And
- 60-Days Before Commencement Submission: Provide actual information.
- Sites must be located in the Primary Market Area (PMA) and be as close to the site as possible to minimize such impacts as: school transfers, access to transportation and social networks, proximity to employment, etc.:
- Include a map of Temporary Housing sites, displacement sites, and PMA in the Relocation Plan.

On-Site Temporary Relocation:

- Phased construction schedule, if applicable.
- Plan for moving Residents between units/buildings.

Consult a tax credit specialist regarding certifications during a rehabilitation of a unit and what applies to the development in question.

If the Temporary Relocation is 30 days or less and no other units are available that are functionally equivalent to the displacement unit in the Primary Market Area, or there is a documented emergency (such as an immediate health and safety hazard), a moderately priced hotel in the same PMA as the project is acceptable.

Second Temporary Housing:

Applicant must work with Residents to ensure the best temporary housing arrangement to minimize moves. In the event of unforeseen circumstances, second temporary housing may be sought.

Voluntary:

If after relocating to Temporary Housing under reasonable conditions, a Resident chooses to move to another Temporary Housing of his/her own volition, the Applicant must continue to pay any reasonable increased housing expenses, as long as the selected unit is decent, safe, and sanitary and the Applicant was informed prior to the move so that the Applicant can determine that the increased costs are reasonable. The increased housing cost of the Temporary Housing initially occupied by the person, or of

any unit later occupied by the person, should not exceed the cost of the decent, safe, and sanitary housing offered by the Applicant. (The Resident is responsible for the moving costs to this second Temporary Housing and the Applicant is responsible for the return move.)

Involuntary:

If the Resident is required to move from the Temporary Housing by the Applicant, DCA, or the Applicant must move from the Temporary Housing for good cause, (e.g. health or safety issues), the Applicant must assist the Resident to locate other decent, safe, and sanitary location and must pay all costs associated with the move and increased housing expenses.

Return Housing

The unit within the project that a temporarily relocated household occupies when they return.

If a household is not able to return to their Displacement Dwelling, a resident must be notified through a Notice of Permanent Displacement.

Meal Reimbursement

Hotel costs: If hotel rooms do not have a full kitchen with amenities that match the displacement unit, the Applicant must provide a meal allowance/per-diem for each member of the household. Meal allowance rates should be based on project location.

Housing Cost

The Applicant is required to pay any difference if the rent at the Comparable Housing Option exceeds residents' current rent at the property.

Return Rents

Refer to DCA Compliance Manual for rent increase policy for appropriate actions and steps.

Permanent Displacement Housing Assistance

Comparable Replacement Dwelling options that meet the following criteria:

- Minimum of three Comparable Replacement Housing options for each displaced household.
- List at least three units in the Relocation Plan for each displaced household that meet conditions outlined in this manual, with names (if applicable), addresses, current number of vacancies, and bedroom sizes.
- If households have accessibility or other needs, identify whether sites accommodate those needs or identify additional sites that do;
- Fair and reasonable housing options for temporary offsite housing. Items to consider: school transfers on the Residents and their children, access to transportation and social networks, proximity to employment, etc.

Records must be submitted to DCA of referrals to Comparable Replacement dwellings, date of referral, date of availability, reason(s) person declined referral.

Voluntary Moves

A voluntary move is when a Resident or Non-Residential Tenant chooses:

- To relocate from a residence or business location
- On their own volition with full understanding that they will not receive assistance due to moving voluntarily, and
- Before assistance is officially distributed.

Voluntary moves must be without coercion from current owner, prospective buyer, and/or property management.

Prior to a voluntary move:

- The Resident or Non-Residential Tenant must be given written notice of plans to redevelop the property and that they might have to move.
- The Resident or Non-Residential Tenant must be informed and understand that if they move because of the construction, they may have the right to move back once construction is complete.
- The Resident or Non-Residential Tenant must be informed and understand that if they moved because of the construction, their household may be able to receive financial assistance, including rent difference and moving assistance payments.
- The Resident or Non-Residential Tenant was informed and understands that by moving before the Relocation Specialist informed the resident/tenant of their rights that they are not able to receive assistance.
- Before signing their lease and moving in, the Resident or Non-Residential Tenant received and signed a written notice stating that the property in question was expected to be redeveloped and that they would not be able to receive any financial rent or moving assistance.

Resident Moving Assistance

Applicant is to provide and pay all moving costs (fixed or actual) for Residents who are being temporarily relocated and permanently displaced. Applicant should make efforts to pay service costs and fees upfront as opposed to reimbursing Residents as to not cause undue financial hardship on a household.

General Requirements

For Residents that are permanently displaced or temporarily relocated: Use sound judgement when providing assistance. Options include:

- Fixed payment for moving expenses:
- Actual Reasonable Moving and Related Expenses Applicant must (where applicable):
    - Hire a licensed and bonded moving company to pack, move, and unpack residents' belongings;

- Provide transportation for the household to relocation housing on move-in day up to 50 miles.
- Provide moving materials (tape, boxes, etc.) if not included in moving company's services;
- Dismantle/disconnect, remove, reinstall/reassemble any appliances or other personal property if not included in moving company's services;
- Pay any fees associated with disconnecting/transferring utilities (including cable, phones, and internet);
- Provide and pay for secure storage for residents' personal belongings if the relocation housing unit is smaller than their original unit; and

Moving expenses that are ineligible include:

- Interest on a loan to cover moving expenses;
- Personal injury;
- Any legal fee or other costs for preparing a claim for a relocation payment or for representing the claimant in appeals procedures;
- The cost of moving any structure or other real property improvement in which the displaced person reserved ownership; and
- Cost for storage of personal property on real property owned or leased by the displaced person before the initiation of negotiations.

Relocation Considerations

Relocation questions for all Tax Credit Properties can be answered through the 8823 Guide and DCA's Compliance Manual. Relocation situations that are not addressed in this manual will be reviewed by DCA with appropriate program guidance and a course of action will be determined if necessary.

Owner Occupants

When the Residents and Non-Residential Tenants have whole or part ownership of the property in question and receive compensation for its sale. Owner Occupants are not eligible for relocation assistance on tax credit only developments. When applicable, URA guidelines must be followed and applied to owner occupants.

In-Place Rehabilitation

In-place rehabilitation occurs when the resident and their items are not relocated. The resident spends the day away from their home with no option to return during the day (e.g., in a community center), then returns to their unit that evening. Often their household items remain in the unit as well. This is only possible if all rehabilitation for the unit can be completed in one day. Due to DCA's construction requirements, true in-place rehabilitation rarely occurs. Further, in-place rehabilitation requires significant planning and logistics. Construction approval is mandatory before in-place rehabilitation can occur.

Non-Residential Tenants

In most LIHTC Only applications, Applicants will not be able to allow non-residential tenants to return. Therefore, permanent displacement is probable. Follow the displacement procedure in this manual for displacement approval with proposals for assistance of the relevant non-residential tenant.

Summary of Assistance

Non-Residential Tenants such as businesses/nonprofits/farms that are temporarily relocated or permanently displaced, may be offered the following advisory and financial assistance:

- Notices must be presented at the applicable times. These notices must be adjusted to accommodate the circumstances of each non-residential tenant. Refer to Notice Section for more information.
- Advisory Services includes referrals to suitable replacement locations, help in documentation for relocation payments and other assistance to minimize the impact of the move. Work closely with the non-residential tenant to identify which costs are reasonable and necessary. Refer to Advisory Services section for more information.
- Payment cost or Moving and Reestablishment Expenses may be provided. Appropriate reestablishment expenses for Small Business relocation must be reviewed and approved by DCA prior to displacement.

Documentation And Administration

Core Application and Relocation Plan

The Core Application must reflect the relocation budget and other relocation actions when appropriate:

- All relocation budgets should include a minimum contingency of 5% added to the project budget and then reflected in the Core App (Part IV – Use of Funds) to ensure unexpected expenditures are covered.
- When no resident data or incomplete resident data can be provided at Application then the Application must include a description detailing why the data is missing or incomplete.

Relocation Plan

The Relocation Plan must be thorough and clear, detail the entire projected relocation process, and be consistent with requirements outlined in this manual.

Template

- Executive Summary: Summarize each of the following sections
- Funding sources and applicable information/regulations:
    - Demolition/reconstruction, rehabilitation, new construction
    - Changes from current to proposed unit mix (bedroom size, AMI designation, unit count)
    - Development and operating funding sources that trigger regulations (ie. Federal funding, Resyndication, etc.)

    - If there is a previous LURC or LURA, provide applicable rent and income restrictions in current terms
- Expected Resident Impact:
    - Number of tenants to be temporarily relocated
    - For tenants to be permanently displaced (with waiver)
    - Number of tenants
    - Reason for displacement
- Timeline: Provide dates for each of the following (differentiate between actual and projected):
    - Notices (see Notice Requirements)
        - Which notices will be used
        - Distribution date
        - Method of notice distribution
    - Other resident communication:
        - Interviews
        - Surveys
        - Meetings
    - Relocation and Construction duration
    - Projected construction schedule
    - Relocation move out and return dates
- Moving Assistance
    - Relocation moving assistance
    - Cost estimates and sources
- Housing Assistance
    - Off-site Temporary Housing and Comparable Replacement Dwelling:
        - Housing option names and addresses (projection at Application, actual at Commencement submissions)
    - Permanent displacement: The number of comparable replacement dwellings in the area that fulfill the needs of each displaced household
    - Temporary Relocation: A minimum of three locations
        - Households with accessibility needs
        - Current number of vacancies for each site
        - Bedroom sizes for each site
        - Rent, utility cost, and total
- Hotel:
    - Vacancy and amenity description (kitchen, suite with door to separate living room, etc.)
    - Why apartments are not used
- Map(s) showing Displacement, Comparable Replacement, and Temporary dwellings
- Applicant efforts and methods:
    - How the impact of the relocation process will be minimized
    - Methods used to prevent displacement, if applicable

    - RAD: Plans to accommodate households that may be precluded from returning due to proposed unit mix or LIHTC eligibility. Core Application must reflect such circumstances.
    - Other
- Describe approved applicable waivers
- If other relevant information is missing, describe here
- Uncertainties and contingency plans
    - Describe budget allotment for contingencies (see General Policies)
    - Identify any uncertainties and describe plan for what will be done in those cases

Waivers and Project Concept Change

DCA must approve any in-place rehabilitation or permanent displacement of tenants. Applicants that foresee in-place rehabilitation or permanent displacement of residents or non-residential tenants must submit a waiver request, including:

- Narrative stating why permanent displacement or in-place rehab must occur
- Permanent Displacement tab of Relocation Workbook
- Written approval from federal agency (if applicable)

DCA reserves the right to request additional information in addition to what is noted below and adjust the Applicant's Submission to further minimize displacements.

To change a household status from temporary relocation to permanent displacement after application, a Project Concept Change must be submitted to DCA for written approval before proposed displacement occurs. DCA review of permanent displacement of complete documentation will be within 30 days. Applicants must not notify a household of permanent displacement without DCA approval of that household's permanent displacement.

If displacement is permitted by a federal agency, the waiver request to DCA must include written confirmation from the federal agency that the conditions requiring a waiver have been approved.

<u>Permanent Displacement Waivers must include the following:</u>

- Updated Relocation and Displacement Plan including a Narrative stating:
    - Why Permanent Displacement must occur, including whether these reasons are due to program restrictions, Application specifics, screening criteria, or other reasons;
    - What methods have been used to adjust the Application in order to follow the In-Place Waiver Guidelines or minimize Permanent Displacement.
- Updated Relocation and Displacement Workbook: Submit the Workbook based on the Application stage and whether interviews and certifications have been conducted.
- Complete the Pre-Application Workbook Relocation Summary tab with currently available household information and Application information.
- Written confirmation from federal agency (if applicable); and

- Any other supporting documentation.

Project Concept Changes (PCC) must include the following:

- Updated Relocation and Displacement Plan including a Narrative stating:
    - Why displacement must occur, including whether these reasons are due to program restrictions, Application specifics, screening criteria, or other reasons;
    - What methods have been used to adjust the development in order to minimize displacement.
    - Any Permanent Move Records from voluntary moves.
- Submit an updated Relocation and Displacement Workbook based on Application stage and whether interviews and certifications have been conducted.
- Recordkeeping of complaints and resolutions.
- Advisory Log.
- Claims and evidence of moving cost and, if applicable, housing payment.

Occupancy Records

At each submission date, Applicant must provide DCA updated Occupancy Records (in an Excel spreadsheet).

Application Submission: All persons occupying the property three months prior to application

After Award & Household Certification: All persons moving onto or off the property after the date in Application Submission;

During Construction and Relocation: All persons moving onto or off the property; and

Final Allocation Application: All persons moving onto or off the property up until project completion.

List households in the same order for each type of document (Tenant Info and Cost Estimate Workbook, rent rolls, notices, payments, etc.).

Temporarily Relocated and Permanently Displaced Household Files

Applicant must provide DCA separate household files that include documentation that is sufficient to demonstrate that Applicant verified the person's relocation needs, current situation, and their eligibility for relocation assistance, based on applicable regulations and programs.

- Residential Occupants. The documentation described below is applicable to both Residents and, if acquisition requirements are not fulfilled, property owners, except where noted:
    - Completed Household Data Forms, TIC or 50059 for each household;
    - Income documentation;
    - Rent and utility costs for the displacement, comparable, and replacement units (also applicable to owner-occupants who decide to rent replacement housing rather than purchase replacement housing):

    - Copy of all notices (as applicable) displaying the person's name and mailing address, and evidence of delivery by certified or registered first class mail, return receipt requested, or certification of hand delivery;
    - Dates of personal contacts and advisory services provided;
    - Permanent Displacement: Records of referrals to Comparable Replacement dwellings, date of referral, date of availability, reason(s) person declined referral;
        - Inspection(s) of the chosen replacement dwelling for decent, safe, and sanitary conditions Copies of all relocation claim forms and related documentation, evidence that person received payment and, if applicable, evidence of housing subsidy paid from other sources (e.g., Housing Choice Voucher);
        - Documentation to support why a claim was not made or was not paid: e.g., displaced person who moved on his/her own, moved prior to Notice, failed to provide requested information/documentation to support a claim, or a signed statement indicating the person's decision not to claim part or all of the assistance offered, etc.;
- Residents or Non-Residential Tenants who receive down payment assistance: Purchase agreement, final executed closing statement/escrow documents (HUD-1), copy of recorded deed indicating book and page;
    - Copy of any appeal or complaint filed and response(s) from Applicant and DCA;
- Non-Residential Tenants: The following is required for tenants and, acquisition requirements are not fulfilled, owners.
    - Name and type of business being relocated or displaced, name of business owner(s);
    - Identify owner of the property being vacated (is it the displaced business or some other entity), copy of the property lease;
    - Survey of relocation needs;
    - Information on advisory services provided ;
    - Documentation supporting moving cost estimates, bills and/or receipts for actual moving and related reestablishment expenses; or documentation supporting the alternative fixed moving expense calculation;
    - Copies of any inspection(s) of personal property at the displacement and replacement sites.

Please be aware that DCA is required to monitor URA and 104d documentation for all DCA administered Federal Funds. Please see applicable guides/manuals for details.

Permanent Move Records

Residents and Non-Residential Tenants that move offsite without relocation assistance will be considered displaced unless proven otherwise. The Applicant is responsible for proving that such Residents and Non-Residential Tenants were ineligible. To do so, Applicant must submit the following documentation to DCA for each non-displaced permanent move from the date Occupancy Records are required (*see below*):

- Reason to Move Certification;
    - If Residents and Non-Residential Tenants do not execute notice or certification, provide records of any notices and personal contact regarding the move-out, such as those that explain that they will not qualify for relocation payments as a displaced person;
- A reason for the move. Justifiable reasons include the following:
    - The Resident or Non-Residential Tenant was lawfully evicted. Documentation to support eviction for cause is required;
    - Documentation to support a determination that a person was not a legal occupant of the property; or
    - Notices provided at the appropriate time, to ensure that the Residents and Non-Residential Tenants were aware of their potential or actual eligibility for relocation assistance.
- For involuntary moves, supporting documentation (such as eviction outcome); and
    - A copy of any appeal or complaint filed and Owner or Applicant response.

Quarterly Reporting, Visits, and Compliance

Submit to DCA quarterly to relocationreview@dca.ga.gov.

- Updated Resident Information and Cost Estimate Workbook.
- Permanent Move records.

DCA may request supporting documentation at any time during the construction period and through submission of 8609 documentation. Failure to comply with Federal or State regulations will be considered noncompliance.

Definitions

120-day Household Certification Rule: Acquisition and rehab credits are both satisfied with one set of certification paperwork. The effective dates for these Residents can be retroactive to the acquisition date and the paperwork is valid for 120 days. Income certifications for households who are in-place on the date of acquisition that are completed no more than 120 days before or after the date of acquisition may have an effective date as of the acquisition date. Certifications completed after the 120 days are effective the date the last adult signs the certification. For more information and guidance, review DCA's Compliance Manual.

Advisory Services: Assistance for residential and non-residential displacements including an explanation of rights and assistance afforded by the URA, referrals to social services that may benefit the tenant, counseling, and advice regarding rights under the Fair Housing Act. This service is ongoing through the completion of the project or displacement of the tenant.

Appeals: If a person disagrees with the determination concerning the relocation payment(s) or other relocation assistance for which the person is eligible, the person may file a written appeal.

Applicant: Any individual who submits an application for funding for a project

Application: The complete and entire set of required and requested documents, submitted by an Applicant to DCA under the current QAP.

Community Development Block Grant (CDBG): Community development activities build stronger and more resilient communities. To support community development, activities are identified through an ongoing process. Activities may address needs such as infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, code enforcement, homeowner assistance, etc.

Comparable Replacement Dwelling: The dwelling to which a household is relocated or permanently displaced. It is:

- Functionally equivalent to the displaced dwelling.
- In an area not subject to adverse environmental conditions.
- In a location generally not less desirable than the location of the displacement dwelling.
- On a site that is typical in size for residential development with normal site improvements.
- Currently available to the displaced person; within the financial means of the displaced person.

Displacement/Displaced Person, Resident, Non-Residential Tenant: An entity which moves permanently from the real property for the sake of the project. Specifically, a displaced entity is one which moves after the property owner (seller/lessor), person in control of the site, or Applicant issues a vacate notice to the person, does not renew an expiring lease to circumvent relocation assistance, or the appropriate notices are not provided if the move occurs on or after the displacement consideration trigger.

Dwelling: The term *dwelling* means the place of permanent or customary and usual residence of a person, according to local custom or law, including a single-family house; a single-family unit in a two-family, multi-family, or multi-purpose property; a unit of a condominium or cooperative housing project; a non-housekeeping unit; a mobile home; or any other residential unit.

Current Dwelling: The unit occupied by an existing resident prior to displacement or relocation.

Comparable Replacement Dwelling: All Comparable Replacement Dwelling, Temporary Housing, and Return Housing must be “decent, safe and sanitary.”

Federal Funding

- HUD funding in a project typically represents federal financial assistance.
- Sole use of Low-Income Housing Tax Credits (LIHTC) or FHA mortgage insurance is not considered federal funding

Grandfathering of existing residents: "Households determined to be income-qualified for purposes of the IRC §42 during the 15-year compliance period are concurrently income-qualified households for purposes of the +30-year extended use agreement. As a result, any household determined to be income qualified at the time of move-in for purpose of the extended use agreement is a qualified low-income household for any subsequent allocation of IRC §42 credit. This provision only applies if the original extended use agreement is in place; and only income qualification is grandfathered, not student status. For more information and guidance, review DCA's Compliance Manual.

HOME: The HOME Investment Partnership Program**.**

Household: All persons occupying the same housing unit, regardless of their relationship to each other.

Household income: The total gross income received for a twelve (12) month period from all sources (earned and unearned) including, but not limited to wages, salary, child support, alimony, unemployment benefits, workers compensation, social security, and/or the net income from a business. For more information and guidance, review DCA's Compliance Manual.

HUD: The U.S. Department of Housing and Urban Development

HUD Handbook 1378: This Handbook provides HUD policy and guidance on the implementation of acquisition, relocation, and related requirements for HUD funded programs and projects.

In-Place Rehabilitation: In-place rehabilitation is when the resident is not relocated. The resident spends the day away (e.g., in a community center), then returns to their unit that night. This is only possible if all rehabilitation for the unit can be completed in one day.

Moving Expenses: Households who are displaced are eligible for moving costs, either as a fixed payment or documented reasonable expenses. The fixed payment consists of a flat moving expense and dislocation allowance, as set by the Federal Highway Administration. The Residential Moving Expense and Dislocation Allowance Payment Schedule is published annually in the Federal Register.

NHTF: The National Housing Trust Fund, established by HUD.

Non-Displaced Permanent Moves: Residents and non-residential tenants who move offsite after the above dates will be considered displaced unless proven otherwise. These will be reviewed at**:**

- Application, before construction and at final allocation application.
- Before Construction. Or,
- Final Allocation Application.

Non- Residential Temporary Relocation: If a business will be shut down for any length of time, it may be *temporarily relocated* and reimbursed for all reasonable out-of-pocket expenses or must be determined to be displaced, at the agency's option.

Non-Residential Tenant: A Business, Non-Profit, or Farm.

Non-Residential Permanent Relocation: The permanent displacement of a Business, Non-Profit, or Farm.

Over-Income Household: A household with income exceeding the income limit.

Permanent Displacement: Any household, individual, business, or nonprofit organization that moves from the real property, or moves personal property from the real property, permanently, as a direct result of acquisition, rehabilitation or demolition of an assisted project.

Project: The phrase "program or project" is defined in 49 CFR Part 24 as, "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."

PCC: A Project Concept Change

RAD: The HUD Rental Assistance Demonstration program.

Relocation Notices: Notices are personally served or sent by certified or registered first-class mail, return receipt requested, and documented in the program system of record. When notifications are personally served, recipients will be asked to sign an acknowledgment of notification.

Replacement Unit: The unit into which the displaced person moves.

Relocation Plan: Should clarify the relocation process in sufficient detail to permit consistent implementation of the rules and accurate communication to project occupants.

Section 104(d): Section 104(d) of the Housing and Community Development Act of 1974 ("104(d)") covers developments funded by CDBG, HOME, and other HUD funding (*See HUD 1378 Chapter 7*). 104(d) requires one-for-one replacement of lower-income units (defined as within HUD's Housing Choice Voucher Fair Market Rents) lost to demolition or conversion to market-rate or otherwise unaffordable housing, or other uses. Replacement includes vacant, occupiable units.

Temporary Housing: The dwelling to which a household is Temporarily Relocated.

Temporary Relocation: Temporary relocation refers to when an occupant must occupy temporary shelter during the rehabilitation process for at least one overnight.

URA: A federal law known as The Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) of 1970 or programs' regulations applies when "any activity or series of activities [is] 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(22))" See*

attachment 25-1 of HUD CPD Monitoring Handbook (6509.2) for a list of funding programs that trigger URA (link in Part IV of Manual). URA applies to both occupied and unoccupied properties and their owners. (For unoccupied properties, *see DCA's HOME Rental Housing Loan Program Manual*.) Owners, displaced households (regardless of income), businesses, farms, and nonprofits have URA rights. All reference and use of URA should be as the law is currently amended.