HOUSING ASSISTANCE

GENERAL REQUIREMENTS

1. If a Resident is required to move off site and is deemed eligible for either temporary relocation or permanent displacement, Applicant must:
    a. Provide advisory services to help determine best relocation housing options; and
    b. Provide Comparable Replacement Dwelling or Temporary Housing, as applicable.
2. All Temporary Housing and Comparable Replacement Dwellings must be:
    a. Decent, Safe and Sanitary: All dwellings must be "decent, safe and sanitary," by meeting the following standards, as well as any other applicable housing occupancy codes:
        i. Be structurally sound, weather-tight and in good repair;
        ii. Contain a safe electrical wiring system and heating system;
        iii. Be adequate in size with respect to the number of rooms and area of living space, including adequate bathroom and kitchen;
        iv. Contain unobstructed egress to safe, open space at ground level, or at least two means of egress if on second story or above;
        v. The dwelling must meet all pertinent accessibility standards for disabled persons. This requirement will also be met if the selects on their own a dwelling that they determine is suitable for their own needs; and
        vi. Comply with lead-based paint requirements of 24 CFR Part.35.
    b. 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 principle features such as appliances, amenities and number of bedrooms must be present (unless the resident desires other features);
    c. Adequate in size to accommodate Residents;
    d. In an area not subject to unreasonable adverse environmental conditions;
    e. 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
    f. Within the financial means of the displaced person.

TEMPORARY RELOCATION HOUSING OPTIONS

All Temporary Housing must be decent, safe, and sanitary. A suitable replacement home on-site (Applicants are encouraged to stage work so that Residents are relocated within the development).

1. Off-Site Temporary Housing:
    a. 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:
        i. If households have accessibility needs, identify whether sites accommodate those needs or identify additional sites that do;
        ii. Application: Use projected locations or actual (if available). *See DCA Market Study Manual*; and
        iii. 60-Days Before Commencement Submission: Provide actual information.

b. 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 on the Residents and their children, access to transportation and social networks, proximity to employment, etc.:
    i. If the location is outside of the PMA then a waiver/PCC must be submitted; and
    ii. Include map of Temporary Housing sites, displacement site, and PMA in Relocation Plan. And,
c. Advance funds for security deposits, application fee, credit check fee, etc. under a repayment agreement, or pay such deposits on behalf of the temporarily relocated person (provided any refund will be made to the Agency and not the person).

2. On-Site Temporary Relocation:
    a. Phased construction schedule, if applicable; and
    b. Plan for moving Residents between units/buildings.
3. 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. A moderately priced hotel in the same PMA as the project; and
    b. A friend or family member's residence, if the Applicant and Resident reach a written agreement concerning this and relocation. This decision must be based on households' stated needs and desires. Agreement must be submitted with Application.
4. 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.
    a. Voluntarily: 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.)
    b. Involuntarily: 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.

<u>Return Housing:</u>

1. Definition: The unit within the project that a temporarily relocated household occupies when they return.
2. If household is not able to return to their Displacement Dwelling, resident must be notified in NND.
3. **RAD** Requirements: Unless these households waive their right to return by accepting a written alternative housing option offer and URA permanent displacement assistance, they must be offered either:
    a. A unit in the project in which the household is not underhoused; or

b. A unit in the project which provides the same major features (number of bedrooms and bathrooms) as the resident's unit prior to rehabilitation (HUD Notice H 2016-17, Section 6.2).

4. **104(d):** To be considered an acceptable Return Home, the unit must have a market rent which is at or below the applicable Fair Market Rent or be otherwise subsidized under a project-based rental assistance program designed to assist lower-income persons.

Meal Reimbursement

1. Hotel costs: If hotel rooms do not have a full kitchen with amenities that match displacement unit, Applicant must provide a meal allowance/per-diem for each member of the household. Meal allowance rates are based on project location. All counties are designated Standard Areas except the following counties which are High Cost: Chatham, Cobb, DeKalb, Fulton, Glynn, and Richmond.

Meal Allowance Per-Diem (per person)		
Eligible Meals	**Standard Area**	**High Cost Area**
Breakfast	$6.00	$7.00
Lunch	$7.00	$9.00
Dinner	$15.00	$20.00

Please confirm price per county at https://www.gsa.gov/travel/plan-book/per-diem-rates.

Housing Cost

Applicant is required to pay any difference if the rent at the Comparable Housing Option exceeds residents' current rent at the property. Payments must be made in monthly installments.

If there is any difference in rent and utilities between Displacement and Temporary Housing during the entire relocation period, please *See Calculations Form*.

1. Off-Site Temporary Housing:
   a. Application Submission: Projected rent differential must be based on Achievable Market Rent plus utilities within the development's PMA. *See DCA Market Study Manual*;
   b. If Resident elects to temporarily relocate to a unit outside the PMA, rent differential is still based on Achievable Market Rent within the development's PMA;
   c. If Temporary Housing is already determined, use actual costs; and
   d. For 60 Days Before Commencement submission, use actual costs.
2. Friend or family: If moving to a friend or family member's residence, must include reasonable payments, including rental payment and/or meal reimbursement.
3. Return rents**:**
   a. *See Economic Displacement in Relocation Considerations*; and
   b. For over-income households, if the Resident can occupy a unit with another proposed AMI designation, the Applicant must agree not to increase rent until the Resident returns or for the remainder of the Resident's current lease, whichever is later. Upon renewal of the lease, the rent can be increased up to the targeted rent level proposed in the Application.

PERMANENT DISPLACEMENT HOUSING ASSISTANCE

Comparable Replacement Dwelling options that meeting the following criteria:

1. Minimum of three Comparable Replacement Housing options for each displaced household.
    a. 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.
        i. If households have accessibility or other needs, identify whether sites accommodate those needs or identify additional sites that do;
        ii. At Application, use projected locations or actual (if available). *See DCA Market Study Manual*; and
        iii. At 60-Days Before Commencement Submission, provide actual information.
    b. 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 on the Residents and their children, access to transportation and social networks, proximity to employment, etc.
        i. If the location is outside of the PMA then submit a waiver/PCC which includes resident certification of desire to move outside of PMA;
        ii. Include map for each household showing Displacement and Comparable Replacement sites:
            a. Include census tracts with the following information, using any of HUD's Minority Concentration Analysis Tools:
                i. Income group and housing conditions; and
                ii. Tract labels: minority concentration, a racially mixed, or a non-minority area.
            b. PMA outline.
2. Households that include minorities must be offered housing options in both a racially mixed and a non-minority area. An area of minority concentration is an area that has 50% or more minorities. A racially mixed area is an area that has 25% to 49% minority. A non-minority area is an area that is less than 25% minority.
3. Currently available to the displaced person on the private market except as provided in 49 CFR 24.2(a)(6)(ix).
4. For a person receiving government housing assistance before displacement, include a dwelling that reflects similar government housing assistance. In such cases any requirements of the government housing assistance program relating to the size of the replacement dwelling apply.

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

<u>Notices to Permanently Displaced Residents</u>:

1. GIN;
2. Notice of Relocation Eligibility (NOE) with Comparable Replacement Dwelling form;
3. 90-Day Notice; and
4. Notice of Moving Date.

<u>Permanent Displacement Increased Housing Costs</u>:

Residents must be given a choice between rental assistance or down payment assistance (URA see 49 CFR 24.402). Rental Housing Payments (RHPs) are due for a certain number of months (or equivalent for down

payment assistance), dependent on the regulation, and calculations vary by program. Use the Housing Assistance Calculator in the Relocation and Displacement Workbook.

1. Down Payment Assistance: The amount equal to what the household would receive under Rental Assistance. For URA See 49 CFR 24.402(c). Payments must be made in a lump sum.
2. Rent Differential (below): Payments must be made in monthly installments.

Rent Differential Calculations: *See Calculations Tab of Relocation Workbook and Calculations Form*.

1. Number of months after displacement: Applicant must provide housing assistance from the date displacement occurred until the below number of months, dependent on the program:
    a. **LIHTC-only**: Cost differential due for Comparable Replacement Dwelling the greater of 12 months or other households' temporary relocation timeframe;
    b. **URA**: Cost differential due for 42 months; or
    c. **104(d):** Cost differential due for 60 months.
2. Amount of rental assistance payment:
    a. Submission requirements:
        (I) Application Submission: Projected rent differential must be based on Achievable Market Rent plus utilities within the development's PMA. *See DCA Market Study Manual*:
            i. If the Resident elects to move to a unit outside the PMA, rent differential is still based on Achievable Market Rent within the development's PMA; or
            ii. If Temporary Housing is already determined, use actual costs.
        (II) 60 Days Before Commencement submission: Use actual costs unless Resident elects to move outside of PMA, then use Achievable Market Rent;
    c. LIHTC-only and **URA**: RHP is calculated by subtracting the base monthly rental for the displacement dwelling from the lesser of (see 49 CFR § 24.402):
        i. The monthly rent and estimated average monthly cost of utilities for a Comparable Replacement Dwelling;
        ii. The monthly rent and estimated average monthly cost of utilities for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person; or
        iii. URA:
            1. For 90-day rental occupants maximum RHP is $7,200 unless Housing of Last Resort is needed or otherwise noted in notices after Notice CPD-14-09 (42 U.S.C. 4624(a)]); and
            2. For eligible 90-day owner occupants see 49 CFR § 24.401 and recent Notices, including Notice CPD-14-09.
    d. **104(d):** RHP is calculated by subtracting the base monthly rental for the displacement dwelling from the higher of total tenant payment (24 CFR § 5.628).
    e. **URA, 104(d):** If household is eligible for both URA and 104(d) they must be offered a choice between both forms of assistance and their NND must clearly differentiate between the two.
3. Housing of Last Resort: Comparable, DSS replacement housing, within a person's financial means must be made available before that person is displaced. When such housing cannot be provided, Applicants must provide additional or alternative assistance under "housing of last resort." Housing of last resort may involve the use of replacement housing payments that exceed the maximum amounts. Housing of last resort may also involve the use of other methods of providing comparable, DSS housing within a person's financial means.

    a. Waiver must be requested if Applicant seeks to use rent other than the Achievable Market Rent. Waiver request must include calculations, analysis and supporting documentation for proposed RHP amount.

4. **RAD**: Households that voluntarily permanently relocate are entitled to RAD voluntary permanent relocation assistance and payments equivalent to what a Displaced Person would receive under the URA.

Owner-Occupants are not considered displaced if the acquisition of real property meets voluntary acquisition exemption (49 CFR § 24.2(9)(ii)(E)).