**GUIDEFORM NOTICE OF ELIGIBILITY**

**RELOCATION ASSISTANCE (LIHTC-ONLY)**

**Must be on Grantee or Agency Letterhead**

Date:

Tenant Name:

Apartment Name: Apt. #

Street Address:

City, State, Zip Code:

Dear :

On (*date*) , the (*Developer, Public Housing Authority (PHA), other*), notified you of proposed plans to (*acquire, rehabilitate, demolish or convert*) the property you currently occupy at (*address*) . On (*date*) , the project was approved and will receive funding from the Georgia Department of Community Affairs (DCA) under the Housing Tax Credit program. Construction is expected to begin on (*date*).

It is determined that you will be displaced by the development and are not currently eligible to return after construction is complete. Since you are being displaced because of a state-assisted development, you are eligible for moving and housing payments.

**This is your Notice of Eligibility for relocation assistance.**

**The effective date of your eligibility is** *(the date the Applicant executes the Limited Partnership Agreement) .*

If, later, your circumstances change, you believe you have become eligible, and would like to return, please contact the Relocation Specialist or property management.

(Agency Notice to Vacate Options—choose one:)

1. **Do not need move now.** You will be given advance written notice of the date by which you will be required to move. This date will be **no less than 90 days** from the date comparable replacement housing is made available to you.

OR:

1. This is also your 90-day Notice to Move; you must move no later than (insert date). At least one comparable home to which you may like to move is listed below. Although you are not required to move to this home, you must move to a decent, safe and sanitary replacement dwelling of your choice in order to receive a housing assistance payment. [*If move is arranged by the Relocation Specialist, insert logistics here*]

RELOCATION ASSISTANCE

You can get the following relocation assistance:

Relocation Advisory Services. Including counseling and other assistance to help you find another home and prepare to move.

Security Deposit and Credit Checks. If needed, we can (*advance funds with a repayment plan / cover deposits and receive the return*) for any security deposit and credit check required to rent a decent, safe and sanitary replacement dwelling and for a credit check.

Payment for Moving Expenses. You may choose:

1. Payment for your actual, reasonable moving and related expenses (including refundable or non-refundable utility deposits), or
2. Fixed moving payment in the amount of $ based on the Fixed Residential Moving Cost Schedule, or
3. A combination of both (where reasonable and necessary).

Replacement Housing Payment. You are eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors, including your current housing costs, the cost of a comparable replacement home and your household income. If you ask, we will give you a detailed explanation on how your replacement housing payment was calculated.

RENTAL ASSISTANCE

Listed below are three comparable replacement dwellings that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect these and other replacement dwellings. For details, see attachment.

Address Rent & Utility Costs Contact Info

1.

2.

3.

We believe that the house at (*address*) with a monthly rent and utility cost of $ is the most similar to your present home. Our replacement housing payment calculations are made based on this comparable house. Although you can choose to move to a different house, you must move to a decent, safe and sanitary house to get housing assistance. If you rent a home where the monthly rent and average estimated utility costs are less than $ per month, your rental assistance payment will be based on the actual cost of such unit. Please contact us immediately if you believe the selected house is not similar to your current home. We can discuss why we chose this and your concerns.

Based on the information you gave about your income and the rent and utilities you now pay, your estimated maximum replacement housing payment is $ (42 x $ ). That is, if you rent the home identified above as the most comparable to your current home or rent another home of equal cost.

Housing payments do not change if there are future rent increases or changes in income. This is the maximum amount that you can receive. If you choose to rent a home where the monthly rent and average estimated utility costs are less than the comparable home, your housing payment will be based on the actual cost of the home. All housing payments must be paid in installments. Your payment will be paid in # installments.

DOWNPAYMENT ASSISTANCE

If you choose to buy (rather than rent) a decent, safe and sanitary replacement dwelling, there are several options which may be of assistance to you. Let us know if you would prefer to buy a replacement home and we will help you find housing that is within your means with your assistance.

You are eligible for a down payment assistance payment which is equal to your maximum replacement housing payment, $ \*.

Please note that all replacement housing must be inspected in order to ensure it is decent, safe and sanitary before we can make any housing payments. Payments cannot be made for a house that is not decent, safe and sanitary. Do not commit yourself to rent or buy a replacement home until we inspect it.

QUESTIONS, RIGHTS, COMPLAINTS

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact (*name*) , (*title*) using the information listed below. They will assist you with your move and help make sure that you continue to be eligible for all relocation payments. To help you fully participate in the relocation process, reasonable accommodations can be made for persons with disabilities and language assistance will be made available for persons with limited English proficiency. Please let us know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.\*\*\*

You also have the right to file complaints (grievances) and appeal the determination if you feel that your application for assistance was not properly considered. If you would like to file a grievance or an appeal, please contact us or the Housing Development Relocation Specialists of the Department of Community Affairs (contact information below).

Remember, do not move or commit to the purchase or lease of a replacement home before we have a chance to further discuss your relocation assistance. This letter is important to you and should be kept for your personal records.

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| --- | --- |
| **Important Contact Info** | |
| **Relocation Specialist**  (for questions about relocation, assistance, and to file grievances) | Name:  Mailing Address:  Phone:  Email: |
| **DCA Housing Development Relocation Specialists**  (to file grievances and appeals) | Online Form: <http://form.jotform.com/82054715249155>  Phone: (800) 359-4663  Email: [relocationreview@dca.ga.gov](mailto:compliance@dca.ga.gov) |

Sincerely,

(name & title)

Attachment/s

* *Comparable Replacement Dwelling form*
* *Fair Housing description*

*Remove from Notice before distributing to tenant*

NOTES:

\* This Guideform Notice is to be used only where, in addition to URA assistance, the tenant is eligible for section 104(d) assistance and a Housing Choice Voucher (formerly known as Section 8) will be offered in lieu of a cash payment. Section 104(d) eligibility occurs when:

1. The project is assisted with CDBG, HOME, UDAG funds or a Section 108 loan guarantee;
2. The displaced person meets the definition of "lower income person;" and
3. The move is a direct result of the demolition of the dwelling unit or the conversion of a lower-income dwelling unit.

\*\* At the agency’s discretion, under the URA, a down payment assistance payment that is less than $5,250 may be increased to any amount not to exceed $5,250. (See 49 CFR 24.402(c)(1))

1. If a Housing Choice Voucher is provided and the cost of a replacement dwelling (the lesser of (a) the comparable replacement dwelling or (b) the actual replacement dwelling) exceeds the voucher payment standard, cash assistance must be provided to cover the gap for a 60-month period. It must be provided in installments (see Paragraph 3-7D).
2. The case file must indicate the manner in which this notice was delivered (e.g., personally served or certified mail, return receipt requested) and the date of delivery. (See Paragraph 2-3 J of Handbook 1378.)
3. This is a guideform. It should be revised to reflect the circumstances.
4. Optional paragraphs for displaced residents of public housing projects (may be modified based on the PHA’s resident return policy):

“Even though you will be provided all of the assistance the URA or section 104(d) requires for a permanent move, the Authority believes that every resident displaced from the site should have the right to reapply for occupancy once this project is complete. For this reason, after project completion, every resident who receives assistance as a “displaced person” will be contacted and offered an opportunity to reapply for occupancy in the newly-revitalized community. Furthermore, because you will be a former occupant who was “displaced” from the site, you will also receive a priority preference to return.

In the event the number of those who request to return and qualify for housing exceeds the number of units available, rating and ranking criteria will be used to identify those who will be offered a unit at the site until all available units are filled. If you do return, the Authority may help defray the costs of the return move. If you have Replacement Housing Payments not yet spent or obligated, you may be asked to forfeit these payments as a condition for returning to public housing, since this assistance will no longer be necessary to meet your housing needs. Such assistance, if not forfeited, must be considered as income and may affect your eligibility and rent.”

\*\*\* Title VI of the Civil Rights Act of 1964 requires agencies to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency. HUD guidance is available at 72 FR 2732 to assist agencies in complying with this requirement. While the text provided regarding language assistance is not required and is provided for illustrative purposes only, providing appropriate translation and counseling for persons who are unable to read and understand required notices is mandatory. See 49 CFR 24.5.