**GUIDEFORM NOTICE OF ELIGBILITY AND NONDISPLACEMENT**

**TO RESIDENTIAL TENANT**

**Must be on Grantee or Agency Letterhead**

Date:

Tenant Name:

Apartment Name: Apt. #

Street Address:

City, State, Zip Code:

Dear :

On (*date*) , the (*City, County, State, 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 and from U.S. Department of Housing and Urban Development (HUD) under the *(HOME/NHTF/CDBG/RAD/other)* program. Construction is expected to begin on (*date*) .

This is your Notice of Eligibility for relocation assistance and Notice of Non-displacement. You will have to move out of your home for (*# of months*) for the development. **Do not move yet.** As a result, you are considered temporarily relocated (not displaced) and have the guarantee to return. You are also being offered displacement assistance because the time period for relocation is so long.

This notice guarantees you the following:

1. Upon construction completion, you will be able to lease and occupy (*your present apartment or another suitable, decent, safe, and sanitary apartment in the same building/complex under reasonable terms and conditions*)\*
2. Your new rent will be $\_\_\_\_\_\_\_\_\_\_ per month. Utilities will cost $\_\_\_\_\_\_\_\_\_.
3. When you move, you will be reimbursed for all of your extra expenses, including the cost of moving to and from housing and any increased housing costs. The housing will be decent, safe and sanitary, and all other conditions of the move will be reasonable.

You do not need to move now. You will be provided with 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 has been made available to you.

Since you are being displaced in connection with this federally funded development, you will be eligible for relocation assistance and payments calculated under either:

1. Section 104(d) of the Housing and Community Development Act of 1974, as amended (section 104(d)), or
2. The Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA).

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);
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 dwelling and your household income. If you ask, we will give you a detailed explanation on how your replacement housing payment was calculated.

(NOTE: If you would like to receive relocation assistance and cannot provide documentation that shows you are lawfully permitted to reside in the United States, please send Relocation Specialist a written explanation of the hardships your household would face without relocation assistance. The Relocation Specialist will then provide the explanation to Georgia DCA for their review. See contact information below.)

CHOICE BETWEEN TEMPORARY AND PERMANENT

You are expected to be relocated for over 12 months. As a result, you have the right to choose to be temporary relocated (return to property when finished) or permanently displaced (to not return to property). You can choose, with assistance, to move:

1. Temporarily for an agreed upon period;
2. Permanently to the home you temporarily move to, if it is available; or
3. Permanently elsewhere.

You can choose between the above options now, after 12 months, or when pre-leasing starts.If the decision is to be permanently displaced (remain at the temporary housing or move permanently elsewhere), you will have the rent and utility cost difference paid for 12 months after moving.

If you decide to return to the property after construction is complete, you can expect the following changes to your home and the property.

* (*Describe changes to the unit)*
* *(Describe changes to the site)*
* Lease terms will (*stay the same, change*). (*If changed, describe here*.)
* Property/Community rules will (*stay the same, change*). (*If changed, describe here.)*

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 would 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 us about your income and other factors, you are eligible for section 104(d) housing assistance through a Housing Choice Voucher.\* If you choose to accept the Voucher assistance and rent a similar home, we estimate your monthly out-of-pocket cost for rent and utilities will be $ per month. We will explain to you how this assistance is calculated and assist you in completing an application. Voucher assistance may change to reflect changes in your income and rent. Voucher assistance may not end, depending on need and congress’s decisions (congressional appropriations).

If you choose not to accept the Housing Choice Voucher assistance, your housing payment will be calculated under the Uniform RA. If you choose assistance under the URA and rent a comparable replacement dwelling, we estimate your initial out-of-pocket cost for rent and utilities will be $ per month. The maximum amount of rental assistance you can get under the URA is approximately $ (42 x $ ), paid in number of\_ installments. URA assistance does not change if there are future changes in income or rent.

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:

1. Section 104(d) assistance for a down payment is available only to purchase an interest in a housing cooperative or mutual housing association. We estimate that you are eligible for a down payment of $ under section 104(d).
2. *If the Housing Choice Voucher may be used for homeownership assistance (either for monthly mortgage payments or for down payment assistance) information on this option must also be included in the letter based on the local PHA policy.*

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, ACCESSIBILITY, COMPLAINTS

If you know that any of the above terms do not fit your needs, please contact us immediately.

Following this letter are brochures entitled, "Relocation Assistance to Tenants Displaced From Their Homes" (for URA) and "Relocation Assistance to Persons Displaced from Their Homes (Section 104(d))." Please read these brochures carefully. They explain your rights and some things you must do to obtain relocation payments under the URA or section 104(d). For example, to receive a replacement housing payment under the URA, you must move to a decent, safe and sanitary replacement dwelling within one (1) year after you leave your current home.

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 and comfortably 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*
* *Brochures*
  + *"Relocation Assistance to Tenants Displaced From Their Homes" (for URA)*
  + *"Relocation Assistance to Persons Displaced from Their Homes (Section 104(d))."*

\* Decent, safe, and sanitary housing is housing that:

* Meets applicable housing and occupancy requirements.
* Is structurally sound, weathertight, and in good repair.
* Contains a safe, adequate electrical wiring system.
* Has adequate living space for the occupants.
* Has a kitchen with a sink, hot and cold running water, and connections for a stove and refrigerator (if you were displaced from a housekeeping unit).
* Has a separate, complete bathroom with hot and cold running water.
* Has heating as required by climatic conditions.
* Has an unobstructed exit to safe, open space at ground level.
* Meets standards protecting occupants from lead-based paint hazards.
* If you are person with a physical disability, is free of any barriers which would preclude your reasonable use of the unit.

*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.

\*\*\*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.