

## City of Shasta Lake

### Residential Acquisition, Anti-Displacement, and Relocation Procedures

Residential Acquisition, Anti-Displacement, and Relocation Procedures (RAARP) are prepared by the City of Shasta Lake in accordance with the:

- Housing and Community Development Act of 1974, as amended, including but not limited to Section 104(d);
- Uniform Relocation assistance and Real Property Acquisition Policies Act of 1970; and
- HUD Residential Anti-displacement and Relocation Assistance Plan regulations at 24 CFR 42.325.

The RAARP is applicable to HUD funded programs, including, but not limited to our CDBG-Disaster Recovery (DR) program.

#### **Program Staff**

The personnel listed in the Standard Agreement (SA) are the points of contact for day-to-day grant administration and for coordination on acquisition and relocation efforts. The City may acquire a contractor to work in collaboration with staff to develop and implement project policies and procedures, in conjunction with technical assistance from HCD.

The City of Shasta Lake, Development Services Department is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The Subrecipient (the organization that receiving the CDBG-DR project funds) is responsible for providing relocation payments and other relocation assistance to any lower income persons displaced by the demolition of any housing or the conversion of lower income housing to another use. These costs may be funded by HUD program funds.

#### **Minimize Displacement**

Consistent with the goals and objectives of activities assisted under the Act, the City of Shasta Lake will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.

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- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305)).
- Target only those properties deemed essential to the need or success of the project.

### **Relocation Assistance to Displaced Persons**

The City of Shasta Lake will ensure that relocation assistance is provided for lower-income tenants who, in connection with an activity assisted under the CDBG-DR Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24-CFR 42.350.

A displaced person who is not a lower-income tenant will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24. All persons seeking URA relocation payments or advisory assistance must certify that they are lawfully present in the United States (excluding those covered under Section 104(d) benefits and payments). HUD claim forms can be used to compute payments and obtain certification of a person’s status as a citizen, national, or alien who is lawfully present in the U.S. Copies of these forms can be downloaded or printed from HUD’s website at: [www.HUD.GOV/Relocation](http://www.HUD.GOV/Relocation).

All proposed housing projects submitted to the City of Shasta Lake for consideration for federal pass-through funds that contemplate any relocation (temporary or permanent) must provide a relocation plan and estimated costs related to all relocation activities.

The following actions are required to be included in the relocation plan and completed during the course of funded projects to assist potentially displaced households:

- Offer Advisory Services – assist displaced households in identifying replacement housing.

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- Provide a General Information Notice – A minimum of 90 days’ written notice to vacate, unless the displaced households’ health and/or safety is threatened, then the notice can be shortened, upon approval by the City.
- Notice of Relocation Eligibility – Includes the date the notice was issued and the date of intent to acquire the property or the date the displaced households are required to move; conversely, provide a Notice of Non-Displacement if URA is not applicable for specific displaced households.
- Reimburse for eligible moving expenses.
- Inspections of New/Prospective Housing Offered – to displaced households to ensure it meets local housing standards.

Relocation assistance payments for residential tenants who are displaced for projects are subject to 42 USC Sec. 3537c and must be disbursed in installments, except that lump sum payments may be made to cover (1) moving expenses, (2) a down payment on the purchase of replacement housing, or incidental expenses related to (1) or (2). Whenever the payment is made in installments, the full amount of the approved payment shall be disbursed in regular installments. The frequency of these disbursements may be no less than three installment payments, except when the rental assistance payment is \$500 or less, in which cases the payment may be made in two installments with no less than a four-month interval between payments.

**One-for-One Replacement of Lower-Income Dwelling Units**

The City of Shasta Lake will ensure replacement of all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG-DR funded program, in accordance with 24 CFR 42.375.

Before entering into a contract committing the City of Shasta Lake to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City of Shasta Lake will make public by publication in a newspaper of general circulation and submit to HUD the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. (See also 24 CFR 42.375(d));

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5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City of Shasta Lake will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

### **Replacement not Required Based on Unit Availability**

Under 24 CFR 42.375(d), the City of Shasta Lake may submit a request to HUD for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

### **Funding Provisions and Required Compliance**

The City will issue a Notice of Funding Availability and a Request for Proposals, which will detail acquisition and relocation-related actions required for each project. This could include but is not limited to noticing requirements to owners/occupants, GIN issuance, tenant tracking, and identification of comparable replacement units where applicable. All applicable actions must take place prior to an award of funds for the project. All subrecipient agreements must comply with URA/104(d) requirements, including reporting and recordkeeping.

Prior to issuance of a Replacement Housing Payment, relocation claims will be reviewed by assigned City staff and/or consultant for cost allowability and for decent, safe and sanitary standards.

### **Monitoring**

The City will work directly with project developer/sponsor to establish suitable project sites that have the lowest potential risk for residential relocation and/or displacement. In circumstances where acquisition, relocation or displacement occurs as a result of the proposed project, the City shall monitor implementation of mitigation measures during the span of the project.

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Documentation that each mitigation condition is addressed to the City's satisfaction and HUD requirements shall be maintained in the project files and supplied to HCD as required.