

Residential Displacement

Fact Sheet

Basic Overview

Most CDBG and HOME funded projects do not involve the displacement of residents. Those that do are regulated by The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (**Uniform Act**) and other HUD requirements such as **Section 104(d)** of the Housing and Community Development Act. These establish minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Act provides important protections and assistance for people affected by the acquisition, rehabilitation, or demolition of real property for Federal or federally funded projects. This law was enacted by Congress to ensure that people whose real property is acquired, or who move as a direct result of projects receiving Federal funds, are treated fairly and equitably and receive assistance in moving from the property they occupy.

Displaced Persons

Generally a displaced person under the URA is an individual, family, partnership, association, corporation, or organization which moves from their home, business, farm, or moves their personal property as a direct result of acquisition, demolition, or rehabilitation for a federally funded project. Displaced persons are eligible for relocation assistance under the URA.

Required Notices

There are three types of notices required under the URA. The notices include:

- General Information Notice – that informs affected persons of the project and that they may be displaced by the project.
- Notice of Relocation Eligibility – informs persons that they will be displaced by the project and establishes their eligibility for relocation assistance and payments.
- 90-Day Notice – informs displaced persons of the earliest date by which they will be required to move. This notice may not be issued unless a comparable replacement dwelling is available and the displaced person is informed of its location and has sufficient time to lease or purchase the property.

Assistance Provided

Relocation Advisory Services – are required to be provided to all eligible displaced persons. These help to determine the needs and preferences of displaced persons, explain available relocation assistance, explain a person's right to appeal if they are not satisfied with agency decisions, offer and provide transportation to locate replacement housing, and more.

Residential Displacement (Permanent Displacement) – In addition to relocation advisory services, residential displaced persons may be eligible for other relocation assistance including relocation payments for moving expenses and replacement housing payments for the increased costs of renting or purchasing a comparable replacement dwelling.

Temporary Relocations – Sometimes a project may require persons to be displaced from their dwellings for only a short period of time. At a minimum, a tenant shall be provided: appropriate advisory services and reimbursement for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily occupied housing and any increase in monthly rent or utility costs at such housing.