

ATTACHMENT I INSTRUCTIONS FOR RELOCATION PLANS

Where relocation is anticipated, a detailed cost estimate by a qualified relocation specialist must be provided with the proposal. All proposals must include an anti-displacement/relocation plan in compliance with relocation law.

All proposals must comply with applicable relocation laws: either the California Relocation Assistance Law, Health and Safety Code Section 7260, et seq. ("CRAL") or Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended ("URA"), and Final Rule Effective February 3, 2005. The CRAL implementing regulations are found in the California Code of Regulations, Title 25, Housing and Community Development, Division 1, Chapter 6, Section 6000, et seq. The URA implementing regulations are found in the Code of Federal Regulations, 49 CFR Part 24, and the specific federal programs in 24 CFR Parts 42, 91, 92 and 570, including for example, the CDBG and HOME programs.

Proposals must include a line item in their development budget for possible tenant relocation/displacement costs. **Proposals that require the displacement of a significant number of households will generally not be considered.**

DO NOT BEGIN NOTICING REQUIREMENTS UNTIL FINAL PROJECT APPROVAL

RELOCATION PLANS

Relocation plans must include all items required by the CRAL and URA, as applicable. This may include, but is not limited to:

1. Project Area Description
 - Regional location
 - Project Site Address, APN(s), and Map
 - General demographic and housing characteristics
2. Definition of Terms
3. Description of Displacement Activities
 - Scope of construction/rehabilitation
 - Projected dates of displacement
4. Assessment of Resident Needs and How Needs are to be Met
 - Methodology describing how needs were determined
 - Number of displaced households
 - Analysis of aggregate relocation needs of all displaced persons and how needs will be met, including but not limited to:
 - Household income levels
 - Ages
 - Special needs (i.e. ADA improvements)
 - Primary language(s)
 - Parking and public transportation needs
 - Preferred relocation location(s) considering proximity to jobs and schools (i.e. City, neighborhood, school zone, etc.)
 - Numerical summary of needs

5. Analysis of relocation housing resources
 - Standards for a decent and sanitary comparable replacement dwelling
 - Comparable replacement dwelling survey that meets resident needs
 - Estimated replacement dwelling costs
6. Description relocation advisory services
 - Detailed description of services to be provided
 - Procedures for comparable replacement dwelling identification and referrals
 - Relocation office and/or coordinator procedures
7. Temporary relocation plans, if applicable
8. Description of relocation payments
 - Relocation cost estimate and funding sources
 - Last resort housing plan
9. Standard information statement for all displaced renters
10. Public participation and review
 - Plans for citizen participation
 - Comments of relocation committee, if applicable
 - Written determination by a local public entity that necessary resources will be available, if applicable
 - Compliance with 30-day review period

The Relocation Plan must be approved by the community's legislative body at least thirty (30) days after the relocatees have received a General Notice.

Even if a Relocation Plan is not required, the displacing Developer must conduct a survey and analysis to determine the availability of Comparable replacement dwellings. This must be started within 60 days of the Initiation of Negotiations.

RELOCATION ASSISTANCE REQUIREMENTS

Relocation assistance must comply with the CRAL and URA, as applicable. This may include, but is not limited to:

1. For projects receiving federal funds, assistance must be provided in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (URA), and Final Rule Effective February 3, 2005 (42 U.S.C. 4201-4655) and 49 CFR part 24.
2. Under both federal and state law, a residential tenant who is defined as a Displaced Person and who has occupied the displacement property for 90 days prior to the Initiation of Negotiations is eligible for a long-term replacement housing payment.
3. Notice Requirements: To be given to tenants who are expected to relocate and also those who are not expected to relocate).
 - General Information Notice: Must give general information about the anticipated acquisition of the affected property and potential relocation of tenants within 60 days of Initiation of Negotiations.
 - Eligibility or Non-Displacement Notice:
 - An Eligibility Notice must provide information about the relocation benefits and the terms

and conditions under which the tenant may lease and occupy a Comparable replacement dwelling. The agency must determine the particular benefits for which the person is eligible. Agencies are required to inform tenant occupants of their potential eligibility for relocation assistance when negotiations are initiated, when and if they become fully eligible, and in the event the purchase will not occur, notify them that they are no longer eligible for relocation assistance.

- Ninety-Day Notice to Vacate: Should specify a date, at least ninety days away, to be completely moved out of the property (exceptions can be found in 24 CFR 24.203(c), HUD Handbook Section 2-3(c) and 25 CCR 6042(e)) on which the tenant is expected to relocate.
 - If no displacement is expected, a Notice of Non-Displacement and should notify the tenants that the project will not result in an unreasonable change in the character or use of the property.
4. No Displaced Person can be relocated until at least three comparable replacement dwellings have been made available to the person.
 5. Reimbursement must be provided for all reasonable out-of-pocket expenses incurred in connection with temporary relocation, including the cost of moving to and from the temporarily occupied housing (HUD Handbook Section 3-2; Government Code Sections 7262(a) and (b); 25 CCR Sections 6090 and 6098). Limit on "temporary relocation" to no longer than 12 months. Residents or businesses, which are temporarily displaced, must be contacted after 12 months and offered permanent relocation benefits.
 6. Reimbursement must be provided for any increase in monthly rent/utility costs incurred with temporary relocation.

IF COMPARABLE REPLACEMENT HOUSING IS NOT AVAILABLE (WHETHER BECAUSE OF PHYSICAL AVAILABILITY, CONDITION, OR AFFORDABILITY) TO A RELOCATEE, THE AGENCY IS ABLE TO TERMINATE THE ACQUISITION.

DEFINITIONS:

Displaced Person: Both state and federal law define a "Displaced person" as a person who moves from their property as a result of acquisition of the property by a public agency, or by a private entity under contract with or on behalf of a public agency, or as a result of receipt of a notice of intention to acquire by a public agency. This includes all people who move as a result of the rehabilitation, demolition, or other activity of an agency or private party acting under contract with or on behalf of an agency.

No or Minimal Displacement: No or minimal displacement equals twenty percent (20%) or less of households residing in a property. Proposals that result in more than twenty percent (20%) of the households being displaced will generally not be considered.

Comparable: A replacement dwelling is "Comparable" if it meets several criteria including being decent, safe, and sanitary, functionally equivalent to the original dwelling, and adequate in size. In addition, a comparable replacement dwelling must be within the financial means of the relocatee.

Initiation of Negotiations: The Initiation of Negotiations (ION) does not become effective for purposes of relocation eligibility until there is execution of an agreement between the agency and owner covering the acquisition, rehabilitation, or demolition of property.

For further information, it is recommended that you contact a relocation consultant.