



Public Housing Repositioning Wednesday Webinar Series: Relocation: Public Housing Repositioning Tools

December 6, 2023

Check out Previous Wednesday Webinars

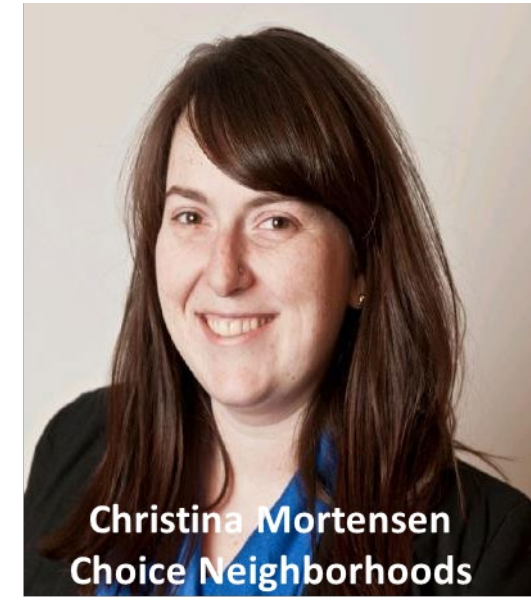
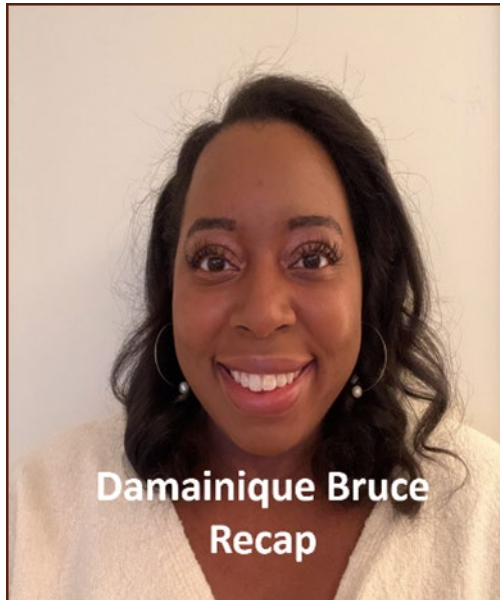
Webinar Topic	Date
<u>Developing a Repositioning Strategy</u>	May 13, 2020
<u>Options for Scattered-Site Units</u>	June 3, 2020
<u>Options for 50-and-Under PHAs</u>	June 24, 2020
<u>Streamlined Voluntary Conversion</u>	September 2, 2020
<u>Project-Based Voucher Program Overview</u>	December 2, 2020
<u>RAD and Section 18 New Blend Options</u>	February 17, 2021

Webinar Topic	Date
<u>Preservation Strategies</u>	March 17, 2021
<u>PHA/Developer Roles</u>	June 30, 2021
<u>Choice Neighborhoods and Repositioning</u>	October 27, 2021
<u>Homeownership Programs</u>	February 9, 2022
<u>You Have SAC Approval – Now What?</u>	September 28, 2022
<u>Reinvestment, Recapitalization, Repositioning Tools</u>	June 7, 2023
<u>Faircloth-to-RAD Development</u>	September 20, 2023

All webinars are recorded and posted at www.hudexchange.info



Presenters



In this session you will learn:

- The fundamentals of relocation.
- How different repositioning tools impact relocation.
- PHA responsibilities to residents during relocation.
- Resident rights and required notices during a repositioning (even if no relocation).



What is Relocation?

When someone is required to move temporarily or permanently.



Resident Protections Regardless of Relocation

- Notices are often required whether or not residents are required to relocate.
- Minimum disruption to residents is encouraged.





KEY CONSIDERATION

What Do Residents Want?

- Ability to remain/return to site?
- To maintain community?
- Other public housing?
- Tenant-based assistance?



KEY CONSIDERATION

Resources

- Relocation funding?
- Relocation capacity?
- Tenant protection vouchers?
- Replacement units?
- Will the market support those vouchers?

What is the URA?

Uniform Relocation Assistance and Real Property Acquisition Policies Act.

- Cross-cutting federal law
- Sets standards for real property acquisition and relocation assistance
- Applies to federal projects that include **acquisition, rehabilitation or demolition.**

When does the URA apply to my program?

Program	Does the URA apply?
Public Housing Modernization (routine)	Yes
Emergency/Disaster/Security Grants	It depends
RAD	Yes. Section 6 of RAD Relocation HUD Notice 2016-17
RAD/Section 18 Blend	Yes. Section 6 of RAD Relocation HUD Notice 2016-17
Section 18 Demo/Dispo	No – Supersedes the URA. 24 CFR 970.21(g)
S22 Voluntary Conversion	Yes, but rarely triggered. 24 CFR 972.215
S32 Homeownership	No—public housing resident; Yes—if displaced by acquisition. 24 CFR 906.10
Choice Neighborhoods	Yes. NOFO

URA Rules

Acquisition Rules

Protect property-owners (sellers)

- Typically requires informing the seller of the property value prior to negotiating.
- May require payment of “just compensation”.



URA Rules



Relocation Rules

Protect people displaced by **acquisition**, **rehabilitation**, or **demolition** for a federally assisted project

- Advisory services (notices, meetings, etc.)
- Moving & related expenses
- Comparable replacement housing (DSS)
- Potential replacement housing payment (increased costs for 42 months)
- Temporary relocation beyond 12 months = offer of permanent relocation assistance

Funding Sources Can Affect Relocation

- Using Community Development Block Grant (CDBG) or HOME funds may trigger additional relocation requirements (i.e., Section 104(d)).
- The Section 18 URA Exemption prevails
- Otherwise, the most stringent relocation rules apply
- Carefully document



U.S. Department of Housing and Urban Development

RAD (including S18 blends) Key Resident Protections

- Right to Remain and Right to Return
- No Rescreening
- Conversion cannot be the basis for eviction or loss of rental assistance
- Transfer of Assistance (to another site)

Source: [RAD Fact Sheet #9 \(RAD & Relocation\)](#)



Rental Assistance Demonstration (RAD)

2023 RAD Supplemental Notice 4-B:

Prior to application: 2 resident meetings within 6 months of application
Submit meeting summaries to HUD

At application: Submit a relocation plan

At CHAP issuance: Start a resident log
Issue Resident Information Notices (RINs)

After RCC: Issue GINs to anyone who must move
Issue 90-day notices for permanent relocation
Early relocation (prior to RCC) with HUD approval
Issue Resident Information Notices (RINs)



Section 18— Demo/Dispo Key Resident Protections

- **Offer of Comparable Housing (meets HQS; area not less desirable)**
 - Public Housing
 - Tenant-Based Assistance
 - Project-Based Assistance (PBV, RAD)
 - Unit Operated or Assisted by PHA at same rent
- Necessary counseling
- Actual and Reasonable Relocation Expenses
- 90-day notice (issued after SAC approval)



Section 18 Demo/Dispo

PIH Notice 2021-07:

Prior to application:

Consult Impacted Residents about Demo/Dispo Application, including relocation plan

At application:

Submit a relocation plan (HUD-52860)

After SAC Approval:

Apply for Tenant Protection Vouchers (TPVs)
Issue 90-day Notice
Provide necessary counseling/advising

Prior to Demo/Dispo:

Complete Relocation (if tenant-based assistance, family must be under lease)

Section 22-Voluntary Conversion

Key Resident Protections

- Offer of Comparable Housing (generally Tenant-Based Assistance)
- If project used as housing after conversion, residents may remain with tenant-based assistance
 - Written resident consent to PBV
- Necessary counseling
- Actual and Reasonable Relocation Expenses
- 90-day notice (issued after SAC approval) (or URA notices, if applicable)



Section 22 Voluntary Conversion

Including Streamlined Voluntary Conversion (SVC)

24 CFR part 972

PIH Notice 2019-05 (Streamlined)

Prior to application:

Significantly involve residents in development of Conversion Plan, including relocation plan

At application:

Submit a relocation plan (HUD-52860)
Comply with URA (if applicable)

After SAC Approval:

Apply for Tenant Protection Vouchers (TPVs)
Issue 90-day Notice, or URA notices (if applicable)
Provide necessary counseling/advising
Obtain resident written consent to PBV (if applicable)

Prior to Conversion:

Complete Relocation (if tenant-based assistance, family must be under lease). If PBV, obtain all consents



Section 32 Key Resident Protections

- Right of First Refusal to purchase
 - 8(Y) homeownership vouchers
- Comparable Housing for non-purchasers
 - Necessary counseling
 - Actual & Reasonable Relocation Expenses
 - 90-day notice (issued after SAC approval)



Section 32 Homeownership

24 CFR part 906

Prior to application: Consult about Homeownership Plan, including Right of First Refusal and relocation of non-purchasing residents

At application: Submit Relocation Plan with Homeownership Plan

After SAC Approval: Offer Right of First Refusal to Purchase
Apply for Tenant Protection Vouchers (TPVs)
Issue 90-day Notice (non-purchasing residents)
Provide necessary counseling/advising

Prior to sale of unit: Complete Relocation for non-purchasing residents (if tenant-based assistance, family must be under lease)

Choice Neighborhoods Key Resident Protections

- Empowering resident *choice* through:
 - Right to return to a “replacement unit”
 - One-for-one unit replacement
 - Access to a tenant-based voucher
 - Residents may maintain voucher assistance and are not required to return
 - Strategies to access high opportunity areas
- Robust mobility counseling and case management
- Relocation and return expenses
- Resident tracking and reporting

Choice Neighborhoods Relocation Best Practices



Choice Neighborhoods

NOFO

Before grant award:

Significantly involve residents in development of Transformation Plan, including relocation plan
Documentation of resident meetings required
In application: describe mobility/relocation strategy

After grant award:

Comply with URA (benefits, required notices, etc.).
Develop relocation plan, including reoccupancy
Apply for new Tenant Protection Vouchers (TPVs)
Provide housing mobility counseling beyond URA
Complete relocation (may be phased)
Emphasis on housing stability and eviction prevention, resident relocation tracking

After housing development:

First right of refusal at initial lease up
Right to return, including future phases as needed
Continued services and resident supports



Resources

General

[SAC website](#)

Section 18 (Demo/Dispo)

[Application Checklist](#)

[Appendix 33 of CPD](#)

[Relocation Handbook](#)

RAD

[RAD website](#)

[RAD/Section 18 Blends](#)

Section 22 (Voluntary Conversion)

- [Application Checklist \(Streamlined\)](#)
- [Order of Operations \(Streamlined\)](#)
- [Model consent form](#)

Resources

Section 32 (Homeownership)

[SAC Section 32 website](#)

Choice

[Choice Neighborhoods](#)

[Choice Relocation Best Practices](#)

Housing Choice Vouchers

[TPVs and Repositioning](#)

[PBVs and Repositioning](#)

[HCV Landlord Resources](#)

[2023 HCV Funding Notice](#)

Public Housing Modernization (Routine with Cap Funds)

[Occupancy Guide—Transfer Chapter Capital Fund Guidebook](#)

Public Housing (Emergency and Safety)

[Emergency/Natural Disaster and Safety/Security Funding](#)

Uniform Relocation Act (URA)

[URA the HUD Way training](#)

Questions?



Tenant Impact

Types	Right to Remain/Return	No Re-screening	Rent Phase-In
Modernization (routine)	X	X	N/A
Emergency Moves	N/A	N/A	N/A
RAD	X	X	X
RAD/Section 18 Blend	X	X	X
Section 18 Demo/Dispo	N/A	N/A	N/A
S22 Voluntary Conversion	N/A	N/A	N/A
S32 Homeownership	If purchasing	N/A	N/A
Choice Neighborhoods	X	X	N/A



Unit Replacement Required?

Unit	Required?
Public Housing Modernization (routine)	N/A
Emergency Moves (health and safety)	No (if approved by HUD for demo/dispo)
RAD	Yes
RAD/Section 18 Blend	Yes
Section 18 Demo/Dispo	No
S22 Voluntary Conversion	No
S32 Homeownership	Yes (homeownership unit)
Choice Neighborhoods	Yes

Required Notices

Types	RIN	GIN	90-Day Notice	NOE
Modernization	N/A	X	X	X
Emergency Moves	N/A	N/A	N/A	N/A
RAD	X	Combined	Combined	N/A
RAD/Section 18 Blend	X	Combined	Combined	N/A
Section 18	N/A	N/A	X	N/A
S22 Voluntary Conversion	N/A	X	X	X
S32 Homeownership	N/A	N/A	X	N/A
Choice Neighborhoods	N/A	X	X	X