

# **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**

**or**

**“URA”**



**MONTANA**  

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**DEPARTMENT OF COMMERCE**

## **Applicable Situations:**

Residential Rehabilitation  
Residential Demolition/Reconstruction  
Real Property Acquisition  
Business Relocation



## **Online Resources:**

CDBG Grant Administration Manual,  
Chapter 7  
Google: Handbook 1378

# RESIDENTIAL RELOCATION

## Definitions

1. Temporary Relocation  
< 12 months
2. Displacement  
> 12 months

# RESIDENTIAL RELOCATION

## Key Documentation:

1. Antidisplacement and relocation assistance plan with
  - One-for-one replacement (if applicable), and
  - Relocation Assistance Strategy
  - Budget Considerations
2. Persons Not Displaced / Temporary Relocation Checklist (Handout)

# Site Occupant Record - Residential

Project Name: \_\_\_\_\_

Project #: \_\_\_\_\_

Relocation Case #: \_\_\_\_\_

Acquisition Parcel #: \_\_\_\_\_

LOCALITY/AGENCY \_\_\_\_\_

Date of Initial Interview: \_\_\_\_\_ Interviewer: \_\_\_\_\_

NAME OF OCCUPANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_ CENSUS TRACT \_\_\_\_\_

CHECK:  FAMILY  INDIVIDUAL  
 OWNER  TENANT

DATE OF GENERAL INFORMATION NOTICE \_\_\_\_\_

EFFECTIVE DATE OF NOTICE OF ELIGIBILITY FOR RELOCATION ASSISTANCE \_\_\_\_\_

DATE PRIVACY ACT STATEMENT EXECUTED \_\_\_\_\_

(INCLUDE COPY OF NOTICES AND SIGNED PRIVACY ACT STATEMENT IN CASE FILE)

IS THIS ADDRESS LOCATED IN A HUD DESIGNATED RENEWAL COMMUNITY OR EMPOWERMENT ZONE?  YES  NO

DATE OCCUPANT FIRST OCCUPIED THIS DWELLING \_\_\_\_\_

RACIAL/ETHNIC CLASSIFICATION

(CHECK ALL THAT APPLY)

- AMERICAN INDIAN OR ALASKAN NATIVE
- ASIAN
- BLACK OR AFRICAN AMERICAN
- HISPANIC OR LATINO
- NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER
- WHITE
- AMERICAN INDIAN OR ALASKAN NATIVE AND WHITE
- ASIAN AND WHITE
- BLACK OR AFRICAN AMERICAN AND WHITE
- AMERICAN INDIAN OR ALASKAN NATIVE AND BLACK OR AFRICAN AMERICAN
- OTHER MULTI-RACIAL

HOUSING COSTS AND CHARACTERISTICS OF DISPLACEMENT DWELLING

TENANT:

MONTHLY CONTRACT RENT \$ \_\_\_\_\_

AVERAGE MONTHLY

UTILITY COSTS \$ \_\_\_\_\_

MONTHLY HOUSING COSTS \$ \_\_\_\_\_

OWNER:

MONTHLY MORTGAGE

PAYMENT (P&I) \$ \_\_\_\_\_

AVERAGE MONTHLY

UTILITY COSTS \$ \_\_\_\_\_

REAL PROPERTY TAXES \$ \_\_\_\_\_

MONTHLY HOUSING COSTS \$ \_\_\_\_\_

NO. OF ROOMS \_\_\_\_\_ NO. OF BEDROOMS \_\_\_\_\_

UNIT IS:  HOUSEKEEPING  NONHOUSEKEEPING

# RESIDENTIAL RELOCATION



**HOUSING REFERRALS**

Date	Address (Include Apt No.)	Census Track	Type of Unit			Size of Unit		Mo Rent + Est Avg Mo Utility Costs/Sales Price	Unit Inspd	Unit Avail Date	Low Income Or Minority Area?	Action on Referral (If refused, indicate why. Also indicate whether unit is representative comparable used as basis for pmt limit.)
			Rent	Sales	Subsidized	# of Rms	# of Bdrms					

**PLACEMENT DWELLING UNIT**

TYPE OF MOVE \_\_\_\_\_ ADDRESS \_\_\_\_\_ CENSUS TRACT \_\_\_\_\_

IS THIS ADDRESS LOCATED IN A HUD DESIGNATED RENEWAL COMMUNITY OR EMPOWERMENT ZONE?  YES  NO

**MONTHLY HOUSING COST (MHC)**

RENTAL  PURCHASE  
 MONTHLY RENT \$ \_\_\_\_\_ MORTGAGE PAYMENT (P&I) \$ \_\_\_\_\_  
 MONTHLY AVERAGE REAL ESTATE TAXES \$ \_\_\_\_\_  
 MONTHLY EST. UTILITY COSTS \$ \_\_\_\_\_  
 MONTHLY UTILITY COSTS \$ \_\_\_\_\_ TOTAL MHC \$ \_\_\_\_\_  
 TOTAL MHC \$ \_\_\_\_\_ SALES PRICE \$ \_\_\_\_\_

D. S. & S     NOT D. S. & S  
 DATE OF INSPECTION \_\_\_\_\_  
 DATE OF REINSPECTION \_\_\_\_\_  
 NO. OF ROOMS \_\_\_\_\_  
 NO. OF BEDROOMS \_\_\_\_\_  
 (Include copy of Inspection Report in case file.)

**RELOCATION PAYMENT(S)**  
 MOV. EXP. RHP  
 TYPE  ACTUAL  RENTAL  
 FIXED  DOWNPMT  
 180-DAY HO  
 AMOUNT \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 DATE CLAIM FILED \_\_\_\_\_  
 DATE CLAIM PAID \_\_\_\_\_  
 (Include copy of Claim Forms in Case File)

IS UNIT IN AREA OF LOW-INCOME OR  
 MINORITY CONCENTRATION?

YES  NO

IS UNIT SUBSIDIZED?

YES  NO

(Identify)

**TEMPORARY HOUSING**

DATE \_\_\_\_\_ REASON \_\_\_\_\_

ADDRESS \_\_\_\_\_ RENTAL \$ \_\_\_\_\_

DATE OF MOVE TO PERMANENT DWELLING \_\_\_\_\_

**OUT-OF-POCKET EXPENSES PAID:**

MOVING EXPENSES \$ \_\_\_\_\_

INCREASED HOUSING COSTS \$ \_\_\_\_\_

APPEAL FILED:  YES  NO

IF YES, INDICATE TYPE:

PAYMENT(S)

HOUSING

OTHER \_\_\_\_\_

(Include copy of Appeal in Case File)

**RESIDENTIAL RELOCATION**

# **RESIDENTIAL RELOCATION**

Errors in judgment or determinations on eligibility or payments can lead to costly litigation, project delays, and serious financial consequences to the Grantee and its partners.

Handout – Required Displacement  
Expenses

Handbook 1378: Chapter 3

# **BUSINESS RELOCATION**

## **PAYMENT FOR MOVING AND RELATED EXPENSES.**

Two moving options for eligible displaced business, farm or nonprofits:

- 1) Payment of actual, reasonable and necessary moving and related expenses (up to \$10,000)
- 2) A fixed payment, in lieu of payment of actual costs and expenses (up to \$20,000)

Handbook 1378: Chapter 4

# ACQUISITION: REAL PROPERTY AND EASEMENTS

## CDBG Grant Administration Manual Chapter 7

Two types of acquisition processes

1. Voluntary
  - a. Subject to 49 CFR 24.101(b)(1)-(5)
  - b. Owner & owner-occupants not eligible for relocation assistance
  - c. Displaced tenants may be eligible
  
2. Involuntary (via eminent domain)

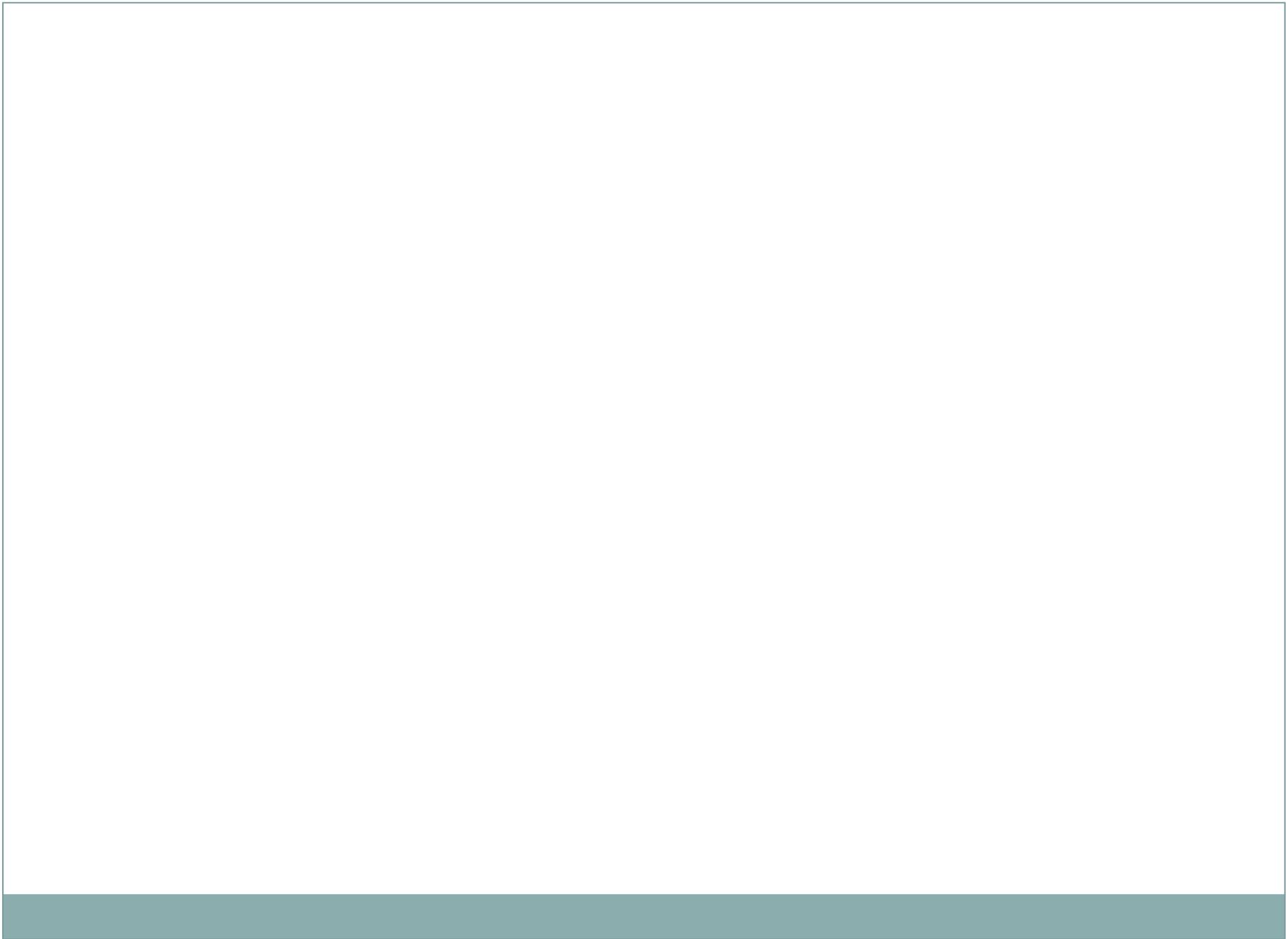
Only governments have the power of eminent domain.

# ACQUISITION: REAL PROPERTY AND EASEMENTS

## What is '*eminent domain*'?

In the United States, eminent domain is a right granted under the 5th Amendment. If real estate property is being seized, the owner must receive fair market value based on comparable prices and payment must be made promptly.

Only governments have the power of eminent domain.



Still in doubt? Contact CDBG.  
Concerned? Contact CDBG.  
Unusual situation? Contact CDBG.

[DOCCDBG@mt.gov](mailto:DOCCDBG@mt.gov)

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