

**EXHIBIT 26**

**TEMPORARY RELOCATION PLAN  
FOR REHABILITATION WITH OR WITHOUT ACQUISITION - RENTAL PROJECT**

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## TEMPORARY DISPLACEMENT

HUD defines **temporary** displacement as those persons who are displaced temporarily from their dwelling unit for **less than 12 months** while the unit is being rehabilitated. Temporarily displaced persons do not receive the same relocation assistance and payments as persons permanently displaced. However, these tenants do have certain rights and protections.

At a minimum, tenants who are required to be relocated temporarily are to be provided 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.

It is imperative that Applicants/Grantees carefully follow notification and advisory services procedures to assure that households do not leave because they are not informed about plans for the project or their rights. This can be a costly mistake and may render the HOME project infeasible.

## PRE-APPLICATION REQUIREMENTS

### Required Notices

Failure to provide correct and timely notices can be one of the most expensive mistakes that a relocation specialist can make. **Notices must be issued as soon as feasible.** Notices must be personally served or sent by certified or registered first-class mail, return receipt requested.

Notices must be written in plain, understandable language. Persons who are unable to read and understand the notice (e.g., due to lack of literacy, limited English proficiency, or disability) must be provided with appropriate translation or interpretation services in accordance with HUD limited English proficiency guidance, alternative formats, and/or counseling. Notices must indicate the name and telephone number (including the telecommunication device for the deaf (TDD) number, if applicable) of a person who may be contacted for answers to questions or other needed help.

- **General Information Notice (GIN):** This notice informs occupants of a possible project and of their rights under URA and/or Section 104(d). The notice stresses that the household **should not move** at this time. This statement is **always** required. The Applicant must use [Exhibit 2](#), *General Information Notice*, HOME Application Guidelines.

[HUD Handbook 1378, Appendix 2](#), also provides a sample GIN; available at:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation/policyandguidance/handbook1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378)

The [GIN](#) must be issued as soon as the Applicant believes it will be applying for HOME funds. Failure to issue this notice will result in the HOME application not meeting minimum threshold requirements.

- ❖ For the purposes of the application, the Applicant must document when the GIN was issued, to whom it was issued, and how it was issued. A copy of the GIN must be included in the application.

## Tenant Rosters

- An Applicant is required to provide two tenant rosters with the HOME grant application:
  - 1) A roster from at least three months prior to the date of the HOME Program grant application
  - 2) A current tenant roster at the time the HOME Program Grant Application is submitted

The rosters must contain, at a minimum:

- Resident Name
- Household Size
- Household Income
- Unit Size
- Rent Amount

- ❖ For the purposes of the HOME application, the Applicant must:
  - ▶ Include a copy of the tenant roster that is from at least three months prior to the date of the HOME Program grant application
  - ▶ Include a copy of the current tenant roster at the time of application

## RELOCATION PLAN (AFTER GRANT AWARD)

### Required Notices

The following notices are to be issued after award of HOME grant:

- **Move-in Notice:** Informs households moving into potential projects after the application that they may be displaced and that they will not be entitled to assistance. (Grantees can also elect not to give this notice; however, move-ins are then eligible for assistance if displaced.)

- ❖ For the purposes of the HOME application, the Applicant must:
  - ▶ Include a (draft) copy of the Move-In Notice; use HUD [Handbook 1378, Appendix 29](#), *Move-In Notice*, as a guide, which is available at:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation/policyandguidance/handbook1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378)
  - ▶ Describe the process that will be used for ensuring new tenants to the project receive this notice.

- **Notice of Non-Displacement:** Informs households who will remain in the project after completion of the HOME-assisted activity of their rights and of the terms and conditions of their remaining at the property. The Notice is given to tenants who will stay in same unit or another suitable unit in the building of complex

- ❖ For the purposes of the HOME application, the Applicant must attach a (draft) copy of the Notice of Non-Displacement that will be used; use HUD [Handbook 1378, Appendix 4](#), as a guide, which is available at:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation/policyandguidance/handbook1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378)

- **Temporary Relocation Notice:** Informs households who will be temporarily relocated of their rights and of the conditions of their temporary move. The Grantee must provide reasonable advanced notice of:
  - 1) The date the move will take place and the approximate duration of the temporary relocation (not to exceed 1 year);
  - 2) Address of the unit the tenant occupies
  - 3) The terms and conditions under which the tenant may lease and occupy a decent, safe and sanitary dwelling in the building/complex upon completion of the project
  - 4) The costs which will be reimbursed; and
  - 5) The [advisory services](#) that will be available

HUD and the HOME Program recommend that this notice be issued at least 30 days in advance of the move. Longer notice may be appropriate for persons who will be relocated for an extended period of time (more than 6 months) or if the move will include all personal property on site. Shorter notice periods may be appropriate based on an urgent need due to danger, health, or safety issues or if the person will be temporarily relocated for only a short period of time.

- ❖ For the purposes of the HOME application, the Applicant must attach a (draft) copy of the Temporary Relocation Notice that will be used.

➤ **Tracking of Notices, Tenants, Services Provided, Etc.**

- ❖ Describe the process that will be used to track the tenants through the rehabilitation of the project
- ❖ Describe the method that will be used to deliver notices to tenants (e.g., hand delivered, certified mail, etc.)
- ❖ Describe the process for how the delivery of notices will be tracked?

**Advisory Services**

Providing a written Notice or series of Notices is not sufficient to assure that the person who is affected by the project understands his/her rights and responsibilities. Advisory services are required by law. As soon as feasible, the Grantee must contact each person who is affected by the project to discuss his/her needs, preferences, and concerns. Whenever feasible, contact should be face-to-face. A list of minimum relocation advisory services may be found in [49 CFR 24.205\(c\)](#).

- ❖ Specify if advisory services will be performed by Grantee's staff or if the services will be contracted out
  - ❖ If performed by Grantee staff, provide name, address and telephone number of staff.
  - ❖ If contracted, provide a draft copy of the RFP that will be used to secure advisory services.
    - ❖ Provide a draft copy of the contract that will be used.

**Scope of Project**

- ❖ Describe the type of project being considered (i.e., acquisition and rehabilitation or rehabilitation only).
- ❖ Identify the size of project (i.e., number of units impacted)
- ❖ Describe the type of building(s) (i.e., 1 story, 4 story, 4 single-story buildings, etc.)
- ❖ Identify the type of displacement expected: permanent and temporary (see [Exhibit 21](#) in the Application Guidelines for information on permanent and temporary displacement.)
  - ❖ If the displacement will be **temporary** (less than 12 months), identify the anticipated length of time the tenants will be temporarily displaced

- If the displacement will be **permanent**, **contact the HOME Program immediately for further guidance.**

## Planned Scope of the Rehabilitation

- ❖ Define the scope of the rehabilitation.
  - ❖ Will the rehabilitation affect the whole unit?
    - ❖ If yes, describe work to be performed.
  - ❖ Will the rehabilitation be affect only one room in a unit?
    - ❖ If yes, describe work to be performed.
  - ❖ Will the rehabilitation require an interruption of service such as water, lights, heat, etc. lasting longer than a few hours?
    - ❖ If yes, describe work to be performed.
  - ❖ Specify the anticipated length of time it will take for the rehabilitation to be completed for the **project**
  - ❖ Specify the anticipated length of time it will take for the rehabilitation to be completed for **each unit**
- ❖ Specify whether the tenants will need to be temporarily relocated [on-site](#) or [off-site](#). (See applicable questions below for the type of temporary relocation that the tenants will endure)
  - ❖ Describe (e.g., Is the rehabilitation expected to be less substantial and not require the tenants to relocate or only relocate for a couple of days, provided that there are no major code issues that need to be dealt with, and the rehabilitation is necessary due to deterioration, age, energy efficiency, etc.? For example, reroofing of building, replacement of windows, replacing entry doors)

## On-Site Moves

If the tenants will be temporarily relocated **within the project** during rehabilitation, answer the questions below. Otherwise, skip this section and move to the [off-site](#) questions.

- ❖ Will the tenants be able to relocate to other units within the project? (This will depend on the size of the project, type of work to be performed, how the work can be staged, etc., as previously identified in this plan)
  - ❖ If yes, have any units been left vacate to accommodate the temporary relocation?
  - ❖ Describe how this temporary move will be carried out (e.g., by unit, by floor, by building if project units are located in different buildings, etc.)
- ❖ Will the tenants' belongings need to be moved from their unit during this time?
  - ❖ If yes, is there storage available on-site or will the items need to be located off-site?

- ❖ Describe.
- ❖ Who will be initially responsible for arranging of moving the items – the tenants or the Grantee?
  - ❖ If the Grantee is responsible for arranging move, have any preliminary contacts been made with storage unit facilities to determine availability, cost, etc.?
  - ❖ Have moving companies been contacted for similar information?
- ❖ Describe who will be responsible for arranging telephone, cable, internet, etc. reconnections both to the temporary unit and the unit tenant will move into after unit completion.

### Off-Site Moves

- ❖ Specify if the tenants will be relocated to other rental units or to hotel/motels or to some other type of accommodation
- ❖ If the tenants will be relocated off-site to other **rental** units, address the following
  - ❖ Describe any preliminary contact that has been made with other apartment managers to determine availability, cost
    - ❖ Describe
  - ❖ Explain who will be responsible for conducting HQS inspection to ensure that the rental units are decent, safe and sanitary
    - ❖ If HQS inspections are to be conducted by a third party, does the Grantee have an executed contract with the third party?
      - ❖ If yes, attach copy of contract
    - ❖ If Grantee does not have a contract with a third party to conduct HQS inspections, describe the method Grantee will use to procure third party. (See [Chapter 4](#) of the [HOME Grant Administration Manual](#) for guidance on procuring professional services.)
- ❖ Specify if the units will be furnished or unfurnished
  - ❖ If unfurnished, describe who will be responsible for moving the tenants' items to new unit – the Grantee or the tenant
    - ❖ If Grantee is responsible for arranging the move, describe who will do the moving – Grantee staff or a moving company
      - ❖ If a moving company, describe the preliminary contacts that have been made with moving companies to determine availability, cost
- ❖ Will some or all the tenant's possessions need to be stored?
- ❖ Specify if some or all the utilities are included in the rent
  - ❖ Describe the preliminary contacts that have been made with storage companies to determine availability, cost

- ❖ For utilities that are not included, describe who will pay for those utilities – tenant or Grantee
- ❖ If tenants are being temporarily relocated to **motels/hotels**, address the following
  - ❖ Describe the any preliminary contact that has been made with motels/hotels to determine availability, cost.
  - ❖ Describe the amenities the motel/hotel have
  - ❖ Describe the availability of kitchen facilities the motel/hotel will have for the tenant to be able to prepare meals
    - ❖ If not available, describe the arrangements that will be made for meals (daily per diem, meal services such as Meals on Wheels, etc.)
      - ❖ If a daily per diem for meals, what is the established per diem rate
      - ❖ If a meal service, describe preliminary contacts that have been made with meal service companies to determine availability, cost, etc.

## Budgets

Early, common sense planning is necessary to ensure that sufficient funds will be budgeted to comply with applicable law and regulations. Relocation assistance is costly and can seriously affect the viability of a project. Errors in judgment or determinations on eligibility or payments can lead to costly litigation, project delays, and serious financial consequences to the Applicant/Grantee and its partners.

Applicant/Grantees need to consider the answers to the questions in this relocation plan when developing the budget cost for relocation. Some of the issues the Applicant/Grantee should consider are whether the agency will directly pay for all costs associated with the temporary relocation or whether the agency wishes to reimburse the tenant for reasonable out-of-pocket costs. If the Grantee chooses to reimburse the tenant for out-of-pocket expenses, the Grantee must be prepared to assist the tenant with completing HUD [Handbook 1378, Appendix 15, Claim for Temporary Relocation Expenses \(Residential Moves\)](#), [HUD Form 40030](#). This form, which can also be used as a guide in developing a relocation budget, is available at.

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation/policyandguidance/handbook1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378)

The Grantee must determine if any additional costs not listed on the claim form will be reimbursed to the tenant such as laundry, boarding an animal, additional transportation costs the tenant may incur due to the location of the new unit and tenant's job, etc.

- ❖ Identify any additional costs for which the tenant will be reimbursed
- ❖ Provide a detailed relocation budget (this amount must be reflected in the [Uniform Application](#), Section C, Part II – Uses of Funds and Uses of Funds Narrative)
  - ❖ Include a narrative discussion for each budget line item showing cost calculations

## 49 CFR 24.205 - Relocation planning, advisory services, and coordination

### (c) Relocation assistance advisory services

- (1) General. The Agency shall carry out a relocation assistance advisory program which satisfies the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), and Executive Order 11063 (27 FR 11527, November 24, 1962), and offer the services described in paragraph (c)(2) of this section. If the Agency determines that a person occupying property adjacent to the real property acquired for the project is caused substantial economic injury because of such acquisition, it may offer advisory services to such person.
- (2) Services to be provided. The advisory program shall include such measures, facilities, and services as may be necessary or appropriate in order to:
  - (i) Determine, for nonresidential (businesses, farm and nonprofit organizations) displacements, the relocation needs and preferences of each business (farm and nonprofit organization) to be displaced and explain the relocation payments and other assistance for which the business may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. This shall include a personal interview with each business. At a minimum, interviews with displaced business owners and operators should include the following items:
    - (A) The business's replacement site requirements, current lease terms and other contractual obligations and the financial capacity of the business to accomplish the move.
    - (B) Determination of the need for outside specialists in accordance with 24.301(g)(12) that will be required to assist in planning the move, assistance in the actual move, and in the reinstallation of machinery and/or other personal property.
    - (C) For businesses, an identification and resolution of personalty/realty issues. Every effort must be made to identify and resolve realty/personalty issues prior to, or at the time of, the appraisal of the property.
    - (D) An estimate of the time required for the business to vacate the site.
    - (E) An estimate of the anticipated difficulty in locating a replacement property.
    - (F) An identification of any advance relocation payments required for the move, and the Agency's legal capacity to provide them.
  - (ii) Determine, for residential displacements, the relocation needs and preferences of each person to be displaced and explain the relocation payments and other assistance for which the person may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. This shall include a personal interview with each residential displaced person.
    - (A) Provide current and continuing information on the availability, purchase prices, and rental costs of comparable replacement dwellings, and explain that the person cannot be required to move unless at least one comparable replacement dwelling is made available as set forth in 24.204(a).
    - (B) As soon as feasible, the Agency shall inform the person in writing of the specific comparable replacement dwelling and the price or rent used for establishing the upper limit of the replacement housing payment (see 24.403 (a) and (b)) and the basis for the determination, so that the person is aware of the maximum replacement housing payment for which he or she may qualify.

- (C) Where feasible, housing shall be inspected prior to being made available to assure that it meets applicable standards. (See 24.2(a)(8).) If such an inspection is not made, the Agency shall notify the person to be displaced that a replacement housing payment may not be made unless the replacement dwelling is subsequently inspected and determined to be decent, safe, and sanitary.
  - (D) Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require an Agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling. (See appendix A, 24.205(c)(2)(ii)(D).)
  - (E) The Agency shall offer all persons transportation to inspect housing to which they are referred.
  - (F) Any displaced person that may be eligible for government housing assistance at the replacement dwelling shall be advised of any requirements of such government housing assistance program that would limit the size of the replacement dwelling (see 24.2(a)(6)(ix)), as well as of the long term nature of such rent subsidy, and the limited (42 month) duration of the relocation rental assistance payment.
- (iii) Provide, for nonresidential moves, current and continuing information on the availability, purchase prices, and rental costs of suitable commercial and farm properties and locations. Assist any person displaced from a business or farm operation to obtain and become established in a suitable replacement location.
  - (iv) Minimize hardships to persons in adjusting to relocation by providing counseling, advice as to other sources of assistance that may be available, and such other help as may be appropriate.
  - (v) Supply persons to be displaced with appropriate information concerning Federal and State housing programs, disaster loan and other programs administered by the Small Business Administration, and other Federal and State programs offering assistance to displaced persons, and technical help to persons applying for such assistance.