

Uniform Relocation Act (URA) and Section 104(d) Training – February 2, 2016

TDHCA Relocation Handbook Glossary

Reference Page numbers

Comparable Unit – Temporary or permanent replacement unit that accommodates household needs, size and complies with decent, safe and sanitary standards (DSS), page 19

Disclosure to Seller – Distributed to owner of property at time of purchase offer, page 6

DSS – Decent, Safe and Sanitary inspection standards a unit must meet prior to tenant occupancy, page 20

Displaced – Person, homeowner or tenant who is forced to relocate, permanently or involuntarily, as a consequence of acquisition, demolition, or rehabilitation involving federal funds, page 20

FMR (fair market rent, derived by HUD) – Influences definition of “affordable housing unit” or “conversion to “market rate” – implying unaffordable to low-income households. HUD determines FMR for its programs by metropolitan area and by size of unit, page 13

GIN - General Information Notice advises tenants an application seeking federal funding has been submitted that may displace tenants, describes relocation assistance entitlement and asks tenants “not to move”. GIN is distributed prior to submission of application for federal funds and copy of tenant confirmed receipt must be included with TDHCA application, page 5-6

HAP – Housing Assistance Payment. HUD project-based rental assistance payment, restricted to project unit. (Refer to HUD Handbook 1378, Chapter 3, 3-5 (b)(5))

HQS – Housing Quality Standards. HUD minimum standard to protect tenants of PHAs. Replacement units must pass HQS before funding agency may pay for replacement housing, page 23

HTC – Housing Tax Credits, Internal Revenue Service, Section 42, housing tax credit allocation. (<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>)

ION – Initiation of Negotiation is a “critical milestone” that 1) confirms receipt of federal fund award, 2) requires owner to inform tenants if eligible to return to completed project or will be “displaced”, and 3) describes relocation assistance entitlement, page 7

Last Resort Housing - When comparable replacement dwellings are not available within the monetary limits for displaced owner-occupants and tenants, Agency must provide additional alternative assistance under this section, HUD Handbook 1378, Chapter 3, 3-1 and 3-8

“Illegal Alien” occupants – URA – Pursuant to Public Law 105-117, occupant must have US legal residence/citizenship to receive relocation assistance unless ineligibility would result in exceptional and extremely unusual hardship to spouse, parent, or child. All persons seeking URA relocation assistance must certify US citizen or national status, or alien lawfully present in the United States. Public Law 105-117 does NOT apply to benefits under Section 104(d), page 6

MHU – Mobile Housing Unit, built as dwelling, at least 320 square feet (30 m²), with a permanent chassis to ensure transportability. The relocation of a MHU can be costly and requires TDHCA (and HUD) guidance, page 13

Non-displaced – Tenant who meets federal eligibility to return to property after construction, page 21

NND - Notice of Non-displacement advises tenant that the project will not displace them, confirms household qualifies to return to completed project, and informs tenant of their right to appeal decision. NND is distribution by ION date, Relocation Handbook, page 7

NOE - Notice of Eligibility advises tenant household of displacement, describes relocation assistance, relocation payment, identifies comparable units, and informs tenant of their right to appeal decision. NOE is distribution by ION date, pages 8 and 21

90-Day Notice to Vacate –distribution date depends on construction schedule. 90-day notice must not be issued prior to NND or NOE, pages 3 and 9

PHA - Public Housing Authority– HUD-supported low-income housing organization. Established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities, page 12

Relocation Brochure – HUD pamphlet covers URA or Section 104(d) in both English and Spanish. Distribute to tenants who the project will permanently displace. Access brochure at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/publications, page 6

Relocation Budget – Realistic estimation of all eligible relocation costs that will be included in development project, page 6

RAP – Rental Assistance Payment, paid monthly to non-displaced tenants who move *temporarily* to an external unit during rehabilitation work. Owner pays difference between old rent plus utilities and temporary unit rent plus utilities, if *higher*. **Note:** RAP remittances go directly to temporary landlord, pages 9 and 21

Relocation and Anti-displacement Plan – strategy to minimize unnecessary displacement and ease the burden of relocating eligible tenants. The Plan addresses three vital steps: 1) minimize tenant displacement; 2) establish relocation assistance and compensation to displaced persons; and 3) ensures one-to-one replacement of low-income units, page 5

RHP – Rental Housing Payment compensates a “displaced” tenant. Payment covers the difference between old rent plus utilities and new rent plus utilities. Owner must comply with either URA (for 42 months) or Section 104(d) (for 60 months) calculation mandates. RHP is paid in three installments, Page 21

Section 104(d) - requirement of the Housing and Community Development Act of 1974, as amended (HCD Act), requires a residential anti-displacement and relocation assistance plan, pages 1 and 2

UPCS – Uniform Physical Condition Standards. Inspection protocol developed by the U.S. Department of Housing and Urban Development’s (HUD) Real Estate Assessment Center (REAC) to ensure housing condition of “decent, safe, sanitary and in good repair”.
(<http://www.tdhca.state.tx.us/pmcomp/inspections/physical.htm>)

URA, The “Uniform Act” – Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, pages 1 and 2