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Speaker 0 00:00:00 <silence> Welcome everyone to the Preservation Initiative for Community Enhancement Notice of Funding Opportunity, otherwise known as the PRICE NOFO webinar. My name is Jennifer Day. I'm from the Special Issues team in the Office of Block Grant Assistance, and I'll be your MC for today's webinar. This is the seventh in a series of webinars covering HUD's PRICE NOFO. These webinars are intended for potential PRICE applicants and provide participants with an overview of PRICE and the application requirements. Today's webinar will provide a look at the Uniform Relocation Act, otherwise known as the URA in relation to PRICE. The URA provides important protection and assistance for people affected by the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects. The presentation today will provide an overview of URA to provide a refresher for those with federal grants experience and an introduction for those that have not received federal funds in the past. Because the eligible activities within the PRICE NOFO are broad and do include acquisition, rehabilitation, and demolition, today's webinar is intended to provide information to inform potential applicants and ensure that URA is taken into consideration as applications are being developed. Next slide, please.

Speaker 0 00:01:19 Today's agenda includes an announcement regarding the intent to modify the NOFO information on HUD.gov, and a review of upcoming webinars followed by opening comments from HUD leadership and a presentation on the Uniform Relocation Act. We'll also leave time for Q&A at the end. Now I'll go ahead and cover a few general housekeeping rules before we get started. All participants will be muted, so we ask that you submit all questions using the chat feature so that our presenters may be able to see the questions and respond. Please send your chat to all panelists to ensure we are receiving questions throughout the event. Webinar materials will be posted on the PRICE page at HUD.gov. Materials will be posted as soon as they're made 508 compliant to be posted. We have updated the site recently to include some past webinar recordings and updated FAQs. Please take a look. Next slide.

Speaker 0 00:02:17 In addition to updating the website with webinar materials, the site also includes an announcement of HUD's intent to modify the PRICE NOFO. The modification incorporates the \$10 million in funding from Fiscal Year 2024 into the NOFO for a total of \$235 million. Of the additional \$10 million from Fiscal Year 2024, \$1 million is reserved for Tribal Applicants. To summarize, the overall funding will be \$235 million with \$25 million reserved for the PRICE replacement pilot, \$210 million will be reserved for PRICE main of which \$11 million is intended for Tribal Applicants. Next slide. In addition to the increase in funding, the NOFO modification will include clarifying information on eligible activities, eligible applicants, public participation requirements, and other NOFO requirements. HUD does not anticipate these modifications will necessitate changes to most proposals. Therefore, applicants are encouraged to continue preparing their proposals. HUD expects to, in, excuse me, HUD expects to extend the application submission deadline to June 24th, 2024. Applicants that have already submitted an application packages may review and possibly revise based on the modification once it's published, and then resubmit before the deadline. HUD will conduct a webinar to walk attendees through the modified NOFO, and again, you can find this information on the HUD.gov site, which we have been updating, and we highly encourage you to check back regularly. Next slide.

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Speaker 0 00:03:59 we also wanted to take this opportunity to remind folks that materials, instructions and the application package are available through grants.gov. As a reminder, HUD does not manage grants.gov, so if you come across any challenges logging in or finding materials, please reach out to grants.gov directly. You can email support@grants.gov or call 800-518-4726. There are also resources on the website, including an FAQ page and a page specifically about error messages. Next slide, please. As I mentioned, this is the seventh webinar in the series for PRICE. and so, since we anticipate NOFO modifications, we're going to go ahead and do a webinar on that as well. And we also intend to reschedule the eligibility public participation and partnership considerations webinar. Please keep your eye out for information on those upcoming webinars. Next slide. Now that we've discussed PRICE resources in the webinar series, I will hand it over to William Rudy, director of the Relocation and Real Estate Division in Affordable Housing Programs with the Office of Community Planning and Development to introduce himself and provide opening remarks. Welcome director Rudy.

Speaker 1 00:05:16 Thank you Jennifer. Welcome everyone. This is a great opportunity today for our office. We're one of the cross-cutting contributors to support this NOFO that's very important to the administration. What's also important to our office, manufactured housing is an area that, a lot of Americans, choose. I mean, that's their, place of residence, and this is a unique opportunity to make improvements and for sustainability and mitigation purposes. Today's webinar, we're going to be talking about relocation and acquisition requirements along with the Uniform Relocation Act and Section 104(d) requirements. And these things are really critical, to ensure that, we have solid program outcomes and that we're minimizing displacement and that those program beneficiaries actually have, and that the results of this investment of federal money will actually improve the housing additions of those living in manufactured housing. This is a great opportunity and we're really looking forward to the applications and the type of creative solutions people are going to propose to address the challenges of manufactured housing. I'm going to turn it over to Jennifer, and we're going to start out the presentation. Thank you.

Speaker 0 00:06:39 Thank you so much for joining us. We really appreciate it, and thank you for the opening remarks. Next on the agenda, we've got the team from the Relocation and Real Estate Division within HUD to discuss the Uniform Relocation Act and Section 104(d). We have Ian Goldfarb, who is an Attorney-Advisor in the Office of General Counsel, and also Jade Santoro Relocation Specialist. Ian, I'm going to hand it over to you to get us started.

Speaker 2 00:07:05 Thank you, Jennifer. So, I'm just going to start by giving a brief overview of the reason why the URA and Section 104(d) exist and why they're important to you as a federal, as a potential federal grantee. So, Congress found that displacement as a direct result of programs or projects undertaken with federal financial assistance was causing a, a number of disruptions when it comes to the daily life of people in various communities that were receiving federal financial assistance. And this displacement was specifically harming individuals that were low income or that were, or in the case of businesses that were operating in or around the same area, that federal financial assistance was being provided for federal projects. Now, while this was primarily in terms of displacement, a problem that was happening on the Department of Transportation side, it was found that government-wide federal financial assistance was being provided, and relocation assistance was done in a spotty way.

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Speaker 2 00:08:21 It was not uniform, it didn't provide fair and equitable treatment of all affected persons. It led to the closure of businesses. It led to the dislocation of low- and moderate-income persons from their communities and Congress set out to minimize the adverse impact of displacement, because they found that it was essential to the economic and social wellbeing of the communities that were having. The federal investment is supposed to be a positive endeavor that is supposed to help to assist individuals and communities to have better outcomes, both community and housing outcomes. Unfortunately, due to the way that federal financial assistance was provided, both in the acquisition of housing and business sites, as well as in the dislocation of individuals in and the displacement of individuals from their communities, Congress set out to establish a uniform policy for the fair and equitable treatment of persons that are displaced and for the, a uniform treatment of individuals that are going to be subject to acquisitions with federal financial assistance.

Speaker 2 00:09:40 there were uniform procedures that were created for the administration of relocation assistance so that to the maximum extent feasible, all the unique circumstances of any displaced person are actually taken into account, and that people who are similarly situated will be treated equally. These are all parts of the Congressional intent of the URA. The improvement of housing conditions of economically disadvantaged persons was a particular interest to Congress and, in the creation of the URA, the policies were supposed to be provided in a manner that was consistent across federal agencies. So, even though the regulations are actually in 49 CFR part 24, which is for transportation, they actually apply uniformly across the different federal agencies. Now, speaking of those URA regulations, the URA regulations have currently, currently a proposed rule that has already been published at sort of 2019, and as of April 16th, 2024, the Office of Management and Budget has approved a final rule for the Uniform Relocation Assistance and Real Properties Acquisitions Policies Act that is going to update the URA rules.

Speaker 2 00:11:08 This rule, while it has not been published yet, will be published soon and has already received all the regulatory approvals necessary. This presentation will not cover the changes to the URA regulations. However, we would advise that when those changes are published on the Federal Register, that a prospective applicants examine those because those changes will affect the cost of relocation as well as the activities that a relocation entails. On top of that, I did want to just briefly also introduce Section 104(d). Section 104(d) is a section of the Housing and Community Development Act. It is sometimes also called the Barney Frank Amendments. This was an amendment to the Housing and Community Development Act 1974, and it was an amendment to create a number of requirements for the Community Development Block Grant program or any funds that are appropriated under Title I of the Housing and Community Development Act of 1974.

Speaker 2 00:12:21 As well as for activities that were taking place in the Home Investment Partnerships program and for the difference between 104(d) and URA is that at the time that Congress was passing the Barney Frank Amendments to the Housing Community Development Act, it was determined that through the activities of the community development block grant program, there were a number of displacement specifically of low and, of lower income individuals. And these displacement, were causing significant problems within the communities. They were used, a lot of the community development block grant funds were used for the clearance of slums and blight. However, it also had the effect of displacing a lot of individuals from urban cores and

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spreading them to other areas of the city that were not part of the community that they, that they grew up in, that they were part of.

Speaker 2 00:13:23 As a result, Congress decided that they were going to create enhanced standards that there were going to be certification requirements for grantees receiving grants under Title I of the Housing Community Development Act, and that there were also going to be a replace a one for one replacement requirement. Most people only know Section 104(d) for the one for one replacement requirement because it is the most prominent of the requirements in Section 104(d). It states that certain housing that was either at Fair Market, or below Fair Market, would have to be replaced unless certain circumstances would cause, for there to be exceptions. It also had public notice requirements. Jade will cover these requirements as well as the URA requirements in the following slides, however, we wanted to give you a background of the reasons for these different requirements. I'm now going to hand it over to Jennifer, who I think will, or, or am I handing it over to Jade?

Speaker 0 00:14:32 We can send it right to Jade.

Speaker 2 00:14:34 Alright, we'll send it right to Jade. Thank you.

Speaker 3 00:14:37 Thanks Ian for that overview and for reminding us of the purpose of both the URA and Section 104(d). I know most of you are probably not all that excited to be here today to listen to rules about acquisition and relocation and maybe you didn't even come in knowing that that's what the URA was all about, acquisition and relocation rules. But keep in mind that these truly are rules that are designed to protect people and to treat them fairly. And I hope you walk away today with some understanding of these rules and feeling like they are important rules even though they are sometimes a pain in the neck to know you have to follow them. In today's presentation, if we can hit the first slide, we're going to cover how to recognize when the URA and Section 104(d) apply to PRICE projects, some activity rules that will apply.

Speaker 3 00:15:44 HUD's overarching emphasis on minimizing displacement whenever possible, how tracking occupancy in these projects and issuing timely notices to the occupants can help prevent unintentional displacement. We're going to look at relocation rules, but only from the 30,000-foot view and we're going to cover this concept of what one-for-one replacement is all about. Finally, I'm hoping to leave you with some resources that you can come back and use later because you're probably not going to memorize every word that I tell you today. Next slide. To get us started, PRICE applicants are required to complete and submit a form called the HUD SF-424B. That form requires that you certify that you'll comply with both the URA and Section 104(d), including their implementing regulations, which you see here on the screen.

Speaker 3 00:16:58 PRICE funds are also subject to the CDBG program regulation on displacement. That's when you kick people out of a project. Relocation, acquisition, and replacement of housing, which is found at 24 CFR 570.606 for most applicants or if you're tribal applicant, it's found at 1003.602 of the regulation. Again, 24 CFR [1003.602]. These program regulations go a bit above and beyond URA rules, so they're really important to keep in mind even if you end up hiring a consultant, if they only work on URA, they could, you could still end up in a little bit of hot water if they're not understanding that there's also this program rule that applies. Next slide.

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Speaker 3 00:17:55 The Uniform Relocation Act. URA, it's a federal law and it's more formally known as, I think you heard Ian say it, that uniform relocation assistance and real property acquisition policies act of 1970 as amended. That is a whole lot of words, which is why everybody knows it as the URA. This rule establishes requirements that cover how we acquire real property and some relocation actions that apply if we have a federally funded project. Compliance with the URA is required whenever there's federal financial assistance in any phase of a project that involves acquisition, rehabilitation, or demolition. Understanding when URA compliance is required is one of the most important takeaways from today's presentation. So, I'm going to repeat myself. URA compliance is required whenever federal dollars are used in any project that includes acquisition, rehabilitation, or demolition. And it's not just if your federal dollars are going into those particular types of actions, it's that the project as a whole includes acquisition, rehabilitation, or demolition and federal financial assistance. As Ian mentioned, the URA applies to all federal agencies and their programs with a one or two minor exceptions that were waived by Congress. Next slide.

Speaker 3 00:19:56 Because the URA applies to projects that include acquisition, rehabilitation, or demolition, it's kind of helpful to know what those activities might look like in PRICE projects. One example might be the acquisition of land for placement of manufactured homes, or you might even be considering buying existing parks or pads. Acquisition also includes acquiring real property through long-term leases that are 15 years or more. Another example of acquisition might be purchasing existing manufactured homes that are classified as real estate. The URA rules also apply to the acquisition of most temporary and permanent easements for a project.

Speaker 3 00:20:57 Sometimes you might be, excuse me, you might be doing construction staging or public improvements and require easements and both temporary and permanent easements are typically required to follow the URA rules when it comes to rehabilitation. Any physical improvements to manufactured homes that are undertaken as part of a PRICE project will likely qualify as rehabilitation and raising a unit, taking it down to the ground where it's classified as real estate would be demolition. Next slide. If you have any questions about that, you could throw them in the chat. If it isn't, if it's not too project specific, we might even be able to answer them.

Speaker 3 00:21:52 Section 104(d). On the other hand, the requirements are a little bit different from the URA. So, the URA applies when there's acquisition, rehabilitation, or demolition. Section 104(d) is triggered by different types of activities. It includes requirements to actively minimize displacement of people from assisted activities, offers specific levels of relocation assistance to displaced lower income tenants. As an alternative to URA benefits, the URA is going to cover displacement of all persons from an assisted project. Section 104(d) is limited to benefits for displaced lower income persons who qualify as tenants. And Section 104(d) provides for replacement on a one for one basis of lower income dwellings that are demolished for converted to something other than lower income housing in connection with an assisted activity.

Speaker 3 00:23:07 Unlike the URA, Section 104(d) only applies to programs funded under Title I of the Housing and Community Development Act. And this includes those programs like PRICE that are funded under the CDBG umbrella. Let's move on to acquisition. Under the URA acquisition of real property falls into one of two categories. Either it meets some criteria that we refer to as voluntary acquisitions or it's subject to the same rules that typically have to be followed under the eminent domain condemnation process. Next slide. In most cases, we anticipate that acquisitions

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for HUD project or for PRICE projects can qualify as voluntary acquisitions, but there are some steps that have to be followed typically to make them voluntary. It's more than just a willing buyer and a willing seller.

Speaker 3 00:24:23 The specific criteria to make something a voluntary acquisition is noted in the URA regulation at 49 CFR 24.101(b) one through five, and these slides are going to be shared. So, you don't have to memorize this, I don't expect you to memorize it, but you do need to know where to look for that criteria to know whether your acquisition will be voluntary or not and how to make it voluntary. Voluntary acquisitions don't require an appraisal and that's the good news because appraisals cost money and they take time. But even when the app though the an appraisal is not required, voluntary acquisitions do typically require that the seller be informed in writing of the estimated value of their property. So, it doesn't have to be an appraised value, but it does have to be a valid estimate of value. And yes, this means you have to tell the seller what their property is worth before you negotiate the sale with them. Whether the seller might already have known their property value, maybe they even did an appraisal when they listed it for sale, is irrelevant to the point of whether or not you have to issue this required written notice.

Speaker 3 00:25:52 Estimating the property value should go up beyond just restating the list PRICE. If you're using a list PRICE or a tax assessment to help establish that estimate of value that you have to give to the seller in writing, then your project files should document that someone familiar with valuing real estate determine that that list PRICE or that tax assessment value is reflective of current market conditions. Once you inform the seller of the estimated value of the property and the fact that you'll walk away if they don't want to, if you can't come to an agreement on the sale, then agencies under the voluntary acquisition criteria are able to freely negotiate for that property keeping cost reasonable standards in mind. Next slide.

Speaker 3 00:26:56 There might be limited circumstances in PRICE projects where the voluntary acquisition criteria can't be met. For instance, you might be proposing to upgrade infrastructure and you can't just skip over somebody's property and leave a gap in your water line or your sewer line. In those cases, the acquisition will require an appraisal process and offering just compensation in an amount that's no less than the approved appraisal of fair market value. You could still ask for donations of some or all of the property value, but you must offer compensation if something does not qualify as a voluntary acquisition.

Speaker 3 00:27:50 If a property might be subject to condemnation for the project or otherwise fail to meet that voluntary exception criteria, the acquisition will need to follow this more stringent prescriptive process of the URA. Next slide. So that was acquisition under the URA and now we are switching gears once again. Back to Section 104(d). As previously mentioned, Section 104(d) requires that all recipients of Title I funds, including those funded under PRICE, minimize the displacement of persons as a result of assisted activities and part of that requirements part of that requirement includes the rule to have an effect and follow a residential anti-displacement and relocation assistance plan, which we refer to as a RARAP. This policy document should identify specific steps that will be taken to minimize the displacement of families and individuals from their homes and neighborhoods as a result of any activity that you're funding with this PRICE activity. See, if you're a CDBG grantee, you should already have a RARAP in place and if you're not a CDBG

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grantee or you haven't yet created and adopted RARAP, you will need to create one. It is a requirement. Next slide.

Speaker 3 00:29:40 When it comes to this requirement to minimize displacement, I'd like you to think for just a moment about what it means to minimize displacement in whatever project you're proposing. Have you designed it specifically to serve the existing residents? That's a good place to start. Do you know if all of the existing residents will qualify to stay in the completed project, given the funding sources you're considering? Are there any that might be so restrictive that someone doesn't qualify to stay? If so, have you considered whether there might be a way to modify the design and ensure that more people could qualify to stay?

Speaker 3 00:30:37 If your project will include construction, how are you going to ensure that the terms and conditions offered to residents during that construction are reasonable? Will you offer offsite temporary relocation while their unit is rehabilitated? If so, how are you going to make sure that temporary relocation won't exceed 12 months? After 12 months of temporary relocation affected persons have to be offered under the URA, they must be offered permanent relocation assistance. It might be helpful to keep in mind that owner occupants who are given choices about whether or not to participate in a project will not typically qualify as displaced.

Speaker 3 00:31:33 For example, I believe we have some Habitat for Humanity participants today. I've worked on some projects where Habitat for Humanity was proposing to replace older mobile homes with stick belt homes and that might be enticing to many mobile homeowners, and I think that we have some really great Habitat for humanity projects out there. We might also have some owners who think that required self-help labor hours or a potential increased mortgage cost at the new unit is unreasonable. As long as owners who choose not to participate can remain on the project site in their old unit, they won't qualify as displaced. But if the only option that they're given to remain on site is to provide self-help labor hours and or take on additional mortgage costs, they really need to be offered displacement option, A displacement option that includes relocation benefits. Again, the goal is to minimize displacement. So whenever possible, try to design your project so that people have the option to remain on the project site, whether or not they want to participate in things that in new opportunities that you're offering lawful occupants who rent their manufactured homes. So, owners should be given options. Lawful occupants who rent their manufactured homes will always qualify as displaced if they have to move from a project as a result of a project that includes acquisition, rehabilitation, or demolition for a PRICE project.

Speaker 3 00:33:29 Next slide. If a project includes triggering activities, which I hope you know by now are acquisition, rehabilitation, and demolition, at any stage your project records will need to track occupancy and demonstrate URA compliance. Whether or not you're planning to ask anyone to leave, HUD expects these project records to include occupancy lists for the time of application, for Initiation of Negotiations, otherwise known as ION. That's typically the timeframe when the PRICE agreement is executed is going to be executed between the grant recipient and whoever owns or controls the real property and a third occupancy list for the time of project completion. All of those should be in your file and if anyone moves from the project between those dates, your project records should document why they moved and whether or not they qualified as displaced.

Speaker 3 00:34:48 Whether or not you're intending to displace anybody issuing appropriate notices is one of the best ways to document that you didn't displace some of the people who might

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have moved for their own purposes. You'll notice that this slide says that General Information Notices GIN's should be issued to all site occupants at the time your application is submitted. Assuming you have site control, that means you can't wait and to, to find out whether or not you received PRICE funds to start worrying about occupancy and issuing notices. This GIN notice is not scary. It simply tells people you should not move because there might, this might be the site of a federally assisted project. That's it. It says, do not move. Well, it it's a little bit more, more than that and we do have guide forms, but basically it says, don't move at ION. You should be issuing a second note written notice to all residential tenants that are expected to remain in the completed project. We typically call these notices of non- displacement, and they should explain in writing and offer to remain in the completed project under reasonable terms and conditions.

Speaker 3 00:36:21 Failing to issue these written notices. These notices of NOND displacement is one of the easiest ways to end up liable for unanticipated relocation costs. A residential tenant who moves from a PRICE project after ION without having received a written offer to remain in the completed project will qualify as displaced whether or not you intended for them to leave people who have to move because they don't qualify to stay in the completed project. Instead of getting a notice of NOND displacement that says the conditions under which they get to stay should be issued a notice of eligibility for relocation benefits and then 90 days in advance of when you need them to vacate. They should also receive a 90 days written notice if they're still in place 30 days prior to when you need them out. They should also get a 30-day notice that I did not include on the slide. Next slide.

Speaker 3 00:37:37 As I mentioned, today's presentation is only going to cover relocation at the 30,000-foot level. Fortunately, we have on demand web-based training that provides a lot more detail. It's called URA the HUD Way, and we'll provide a link at the end of today's training, or you can also Google it. If a tenant needs to move from a project temporarily, the terms and conditions of that temporary move need to be reasonable and that includes paying for their out-of-pocket expenses incurred because they have to move both away from and then back to the project. And I mentioned this earlier, but if you have temporarily displaced a tenant for longer than 12 months, they must be offered permanent relocation assistance. It doesn't mean they necessarily have to take it, but they must be offered permanent relocation assistance.

Speaker 3 00:38:49 You could also offer the option to let them remain temporarily housed for a specific period of time to return to the completed project, but they must be offered that permanent relocation assistance at URA levels. When you hit that 12-month mark, everyone who is permanently displaced as a result of acquisition, rehab, or demolition is entitled to advisory services that 90 days' notice to vacate and relocation assistance at URA levels. Again, I'm not going to go into the details of that today, but you can go take URA the HUD way training. Lower income residential tenants who are displaced as a result of demolition or conversion can select benefits at either URA levels or Section 104(d) levels. So that's that option I was telling you about when a lower income tenant qualifies as displaced under Section 104(d).

Speaker 3 00:40:03 If you think your project might permanently displace anyone, be sure to take URA the HUD Way training and call HUD with any questions once the competition has been finalized. The CDBG program also calls, also allows for payment of optional relocation assistance and inherently that means PRICE does as well either for people who don't qualify as displaced

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under the URA or at levels above and beyond what's required by the URA and Section 104(d). Unless this kind of additional coverage or optional coverage is required to understate or local law, you'll need to document a written determination that the assistance is appropriate.

Speaker 3 00:40:59 And once you determine that it's appropriate at the local level, then you'll need to adopt a written policy that's made available to the public specifying the specific assistance that will be provided to whom it will be provided. And that provides for equal relocation assistance within each class of displaced persons. For example, you might create an optional relocation assistance policy that provides temporary relocation benefits to homeowners that want to voluntarily participate in a rehabilitation or reconstruction activity. As I previously mentioned, homeowner occupants who are given options and voluntarily participate in programs, they don't qualify as displaced. So, to provide them with benefits you would need to do it under an optional relocation assistance policy.

Speaker 3 00:42:07 When relocation is either required by the URA or Section 104(d) or otherwise eligible under these criteria for optional relocation assistance, then relocation is an eligible project cost. Next slide. In general, displaced people are entitled to moving expenses to move their personal property in places where manufactured homes are classified as personal property and can legally be moved, and reinhabited. The cost of moving the home itself for a displaced person is included as a covered moving expense. If occupants are displaced from a dwelling unit or a dwelling site, they'll also likely qualify for a replacement housing payment that helps them move to comparable housing depending on whether they own their dwelling unit or rent their dwelling unit and own their dwelling site or rent their dwelling site. Displaced manufactured home occupants might be eligible for two different types of replacement housing payments, one for the dwelling and one for the site.

Speaker 3 00:43:37 Occupants who rent their site are entitled to a payment covering any increased cost to rent. A comparable replacement site owners wouldn't get that portion of the replacement housing payment, but they would get the acquisition payment for the land itself. Displaced occupants who can't move their dwelling are also entitled to a replacement housing payment for renters. That payment covers the increased cost of renting a comparable replacement dwelling for a period of 42 months. For owners, it would cover the cost of replacing any unit that can't be moved that exceeds the acquisition payment that they receive for the old unit. And the rules for calculating replacement housing payments for both renters and owners are found in Subpart E of the URA Regulation.

Speaker 3 00:44:45 Section 104(d) payments are a little bit different. As mentioned, they only go to lower income tenants who are displaced. That means that people who own their manufactured home won't qualify for Section 104(d) benefits displaced lower income tenants who qualify for Section 104(d) benefits are entitled to choose between URA relocation benefits or benefits under Section 104(d), they're not calculated the same and displacing agencies really need to offer both options to people who qualify for Section 104(d) because individual circumstances dictate which pro which rule provides more money. Moving expenses are paid the same under both rules, but Section 104(d) covers a couple of additional items. It covers refundable security deposits, and it can also cover interim living costs where those are appropriate.

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Speaker 3 00:46:01 The biggest difference between URA and Section 104(d) is in the calculation of those replacement housing payments. The URA generally covers increased housing costs for 42 months and has some consideration for affordability of that housing specifically for lower income persons while Section 104(d) only deals with affordability of the replacement unit, not so much increased housing costs and it covers a period of 60 months. Next slide. Switching gears from relocation to one for one replacement. My earlier slide mentioned that Section 104(d) requires one for one replacement of lower income dwelling units that are demolished or converted in connection with a Title I assisted activity meaning PRICE. To understand this requirement, you need to know what is a lower income dwelling unit and what does it mean to demolish or convert one.

Speaker 3 00:47:23 Lower income dwelling units are units that have a market rent below the applicable fair market rent for the area that it's located in. That doesn't mean that someone has to be currently renting that unit and paying less than FMR fair market rent only that the unit itself, if you put it on the rental market, would rent at or below the fair market rent. We've already talked about the fact that demolition triggers the URA, and it also triggers one for one replacement. So, let's look at conversion by definition, conversion means altering a housing unit so that it is no longer used as housing. It is still used for housing, but it no longer meets that definition of lower income dwelling unit. So it's no longer renting at or below fair market rents, or it's now going to be used for emergency shelter.

Speaker 3 00:48:35 Conversion doesn't include units that are owned and occupied by the same person before and after the project. Even if the funded improvements mean the unit could rent above fair market rents when you're done, hopefully good news, HUD really doesn't anticipate that there will be very much, if any, conversion in connection with PRICE activities. So you probably don't need to think about it too much, but I do want you to keep in mind that if you demolish a manufactured home and replace it with another manufactured home, even if it's, even if both of them are available at or below the FMRs, that is still one for one replacement because you've demolished a unit, you're replacing it, but you still have to follow the public notification requirements even if you're providing the replacement units on the same site. And the public notification requirements say that you have to make it public and to sub and submit to HUD a one for one replacement plan. Last slide.

Speaker 3 00:49:50 As I mentioned, we have on demand web-based training called URA the HUD Way. There are links on this page, and I believe this will be a posted webinar, but you can also Google it, URA the HUD Way. It does have eight different modules. Each module I estimate takes approximately one hour to get through and they're great modules, so go take them. And our website at www.hud.gov/relocation also includes lots of helpful information, contact information from people in my division, and also links to policy and guidance and training resources. Thanks for joining me today.

Speaker 0 00:50:38 Thank you so much, Jade. I appreciate it. We're now going to transition to the question an answer portion of the webinar, and we'll have folks from OBGA and the Relocation and Real Estate Division. Just a reminder to everyone, HUD competitions are governed by the HUD Reform Act. So, the NOFO is the definitive for all answers we cannot interpret, but we can tell you where something is in the NOFO or the CDBG framework. we will answer the questions that we can please turn in tune into subsequent webinars and check back for updates to FAQs on the landing

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page. we try to get those updated as soon as we can. With that we're going to go to our first question. I'm going to go ahead and take the first couple questions here. How quickly will you post webinars after they are conducted for those of us who may be unable to attend?

Speaker 0 00:51:27 We try to get those presentations up as quick as we can. You know, we go through a review process, make sure that they're accessible, so you can find those at the PRICE page at HUD.gov. The second question is, is there a hotline that a grantee could ask questions through as they're applying in relation to the URA? And the answer to that is that, during the application process, we ask that any specific questions go to PRICE at HUD.gov, but as Jade just mentioned that there are tons of resources out there in relation to the URA, so please check them out URA the HUD way. Additionally, once awards have been made, grantees will receive technical assistance, including technical assistance on URA. So, we'll be able to have more pointed conversations after the award. Alright, our third question here is for Robert. So, when we use the term manufactured housing, we are using, are we using the phrase under federal law? So therefore, mobile homes would not qualify for this grant.

Speaker 4 00:52:32 thank you Jennifer. So that's not exactly correct, regarding mobile homes not qualifying, some nuances to that. So, the references to manufactured housing units in the NOFO do include pre 1976 mobile homes, unless otherwise noted, the PRICE funds may only be used to replace those pre 1976 mobile homes, not for their repair or rehabilitation. for additional information, I encourage everyone to review the definition of manufactured housing in the NOFO's in Section I.A.4. And, just to clarify, you can do demolition removal, disposal of not just the pre 1976 mobile homes, but also trailers or recreational vehicles that are being used as homes, if that is a part of a replacement activity.

Speaker 0 00:53:35 Great, thank you Robert. This next question's going to be for Ian. Please clarify the definition of dwelling units. When a manufactured housing is not recognized as mortgageable property, but instead treated as property like a car loan, is it still required to follow these rules for housing? Did we lose Ian?

Speaker 2 00:54:09 Sorry. sorry I was on mute. Thank you, Jennifer. that's okay.

Speaker 2 00:54:13 Manufactured homes are considered dwelling units under the URA regardless of whether they are considered real property or personal property. Under state law, 49 CFR part 24 and 24.2 specifically defines dwelling to mean the place of permanent or customary and usual residence of a person according to local customer law, including a single family house, a single family unit, a two family multi-family or multi-purpose property, a unit of a condominium or cooperative housing project, a non- housekeeping unit, a mobile home, or any other residential unit. So, in a state where a manufactured home is considered personal property, it is still a dwelling unit.

Speaker 0 00:54:56 Great, thank you Ian. Our next question's for Robert is it an allowable activity to replace a mobile home pre 1976 with a modular home?

Speaker 4 00:55:11 Thank you, Jennifer. It's similar to the first question, but now we're talking about replacing it with something that's not a manufactured home. So, it depends. It depends on whether you are applying to PRICE main or the PRICE replacement pilot. So again, demolition

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removal disposal of pre 1976 mobile homes, trailers, recreational vehicles that are serving as homes is eligible if it's part of a replacement activity. And then the next piece is, well, what do you replace it with? So, under the PRICE Main you would be replacing with a manufactured unit. If you did the PRICE Replacement Pilot, you could additionally replace, with other forms of construction including stick build or, or modular.

Speaker 0 00:56:02 Great. Thank you Robert. So, our next question's for Ian, lower income dwellings is this a measure of the home person lives in or measured on the person's income? So, it's reference to home or income?

Speaker 2 00:56:17 I'm actually going to answer this as well as another question that we received a little bit lower down, which asks whether or not a lower income dwelling unit, how that is actually defined. A lower income dwelling unit is defined in 24 CFR 42.305, and a lower income dwelling unit means a dwelling unit with a market rent, including utility costs at or below the applicable fair market rent for existing housing. And then it gives a citation. And that citation is actually, it, it is the citation that is for HUD's fair market rent, calculations. So we would consider, this to be a measure of the rate that one could rent a home for, and in other words, the market rent of that home and it needs to be at or below the FMR that HUD publishes.

Speaker 0 00:57:11 Great. Thanks Ian. So, another question for you, and this was a question in regard to the phrase mobile home versus manufactured home. Can you provide some additional guidance on that?

Speaker 2 00:57:24 Absolutely. Thank you. So, a mobile home is actually the term that is used under the URA statute and regulations it, but it is defined in 49 CFR 24.2 to be as follows, the term mobile home includes manufactured homes and recreational vehicles used as residences. So mobile homes are actually included in, or excuse me, manufactured housing is included in the definition of mobile homes. I know that this doesn't necessarily, it is not as consistent with the way that manufactured homes are defined within HUD programs. However, it is important to understand that when the URA uses the term mobile home, it also means all forms of manufactured housing.

Speaker 0 00:58:05 Great, thank you. And I think we've got one more question and then we're going to wrap it up with a couple of housekeeping items before we leave. so the last question is, how does the URA function when there are state laws that also become or also provide, relief?

Speaker 2 00:58:22 So the URA applies separately and distinctly from state laws that also provide relocation relief. The, the URA attaches to federal financial assistance, just like the Section 104(d) assistance attaches to assistance that, excuse me, Section 104(d) attaches to assistance that is provided under Title I of the Housing Community Development Act, which would include funds that were appropriated for this PRICE NOFO, as well as for the Home Investment Partnerships program. And in terms of the way that URA and Section 104(d) apply, the grantee must comply with each of these independently. And when there are overlapping requirements such as in 104(d) and URA or such as when the URA has one standard and the state has a slightly higher or slightly lower standard, you must apply the most stringent requirements such that all requirements under each of the, that, that apply to that housing all are met. So again, it's not an either or the URA must be complied with. And if there is a more stringent state requirement, that also must be complied with.

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Speaker 0 00:59:34 Great. Thank you Ian. and with that last response, we're now at time. Can we look at the next slide please? I just want to remind everyone of the resources out there, especially as we're working through the modification to the NOFO. You can go to our PRICE website, grants.gov, the HUD Exchange, all will have information on the PRICE competition and the status of the NOFO. And as I mentioned earlier, we're going to do additional webinars, as we work through this process. Thank you so much, and we appreciate all of your questions and thank you to our guests today for providing such great information. Have a nice afternoon. Bye.