

# FACT SHEET #9

## RAD and Relocation



*As a public housing resident, you have the right to live in the rent assisted property after a RAD conversion. In some cases, you may need to be relocated temporarily while repairs are occurring, but you have a right to return to an assisted unit at the property once rehabilitation or construction is complete.*



**YOU CANNOT LOSE RENTAL ASSISTANCE AS A RESULT OF RAD.**



## Will I Have to Move from My Home Due to RAD?

Most RAD conversions do not require relocation but in some cases you may need to move temporarily during or after the RAD conversion for repairs to take place. If so, you will receive advanced notice, must be provided temporary housing, and have the right to return to the rent assisted property.

### Special Cases

In some cases, a housing authority can propose to move the the housing subsidy (the rental assistance) to a different property so that another property becomes affordable instead of the one you have been living in. This is called a **transfer of assistance**. In this case, you will have the right to a rent assisted unit at the new property once any construction is done, though the PHA may also offer other affordable housing options.



## Can I Be Permanently Displaced?

**All residents have a guaranteed right to return to the RAD property. You may not be permanently moved against your will.**

If the public housing authority (PHA) proposes a plan for the property that would mean you could not return to the property (this scenario is rare), you must be given an opportunity to comment and/or object. The housing authority may offer you another affordable housing option, but you are not required to accept one of these other options. If you object because you want to return to the property the plans must be changed.

For example, Ms. Smith is living in 4-bedroom apartment, which is the appropriate size based on the members of her family. Her housing authority proposes to change the 4-bedroom unit into a 3-bedroom apartment

and does not have another 4-bedroom apartment on-site to offer Ms. Smith. Ms. Smith may accept another affordable housing option offered to her or may object in which case the PHA must make a 4-bedroom apartment available to her at the property.



### If I Do Have to Move, When Would That Happen?

A PHA cannot begin relocation until HUD has issued a “RAD Conversion Commitment” (for more information, see **Fact Sheet #3: The RAD Conversion Process**) and after you have received a notice alerting you that you will need to relocate. The notice will provide you at least 30 days advanced notice, and in some cases 90 days, before you would need to move. You may choose to move earlier if the option is offered to you, but you cannot be required to move earlier.



### If I Do Have to Move, Where Will I Move?

Relocation can take many forms. Residents can relocate within the property or may be temporarily relocated off-site to another property. Alternatively, a resident may choose to accept an offer to permanently live somewhere else. In such a case, the PHA may not require you to live elsewhere and must get your written consent that you are accepting another housing option.



### If I Do Have to Move, Will I Receive Relocation Assistance?

In all cases, the PHA must pay for reasonable increases in housing costs, packing and moving assistance, costs associated with transferring utilities, and associated deposits.

If the relocation will be longer than a year, then you will have a choice of either temporarily relocating and keeping your right of return to the property or requesting permanent relocation assistance under the Uniform Relocation Act. This includes housing assistance and advisory support to find new housing.

Persons with a disability should receive any additional, reasonable moving expenses that are necessary. Accessible units, and any necessary accommodations, must be provided for persons with disabilities returning to the renovated property.



### Is There a Relocation Plan? What Are the Major Steps a Housing Authority Must Follow to Plan and Prepare for Relocation?

Proper relocation planning occurs over a long period, including notice well in advance that relocation might be needed, developing a plan, and then coordinating with residents about details and options:

- **Early Notice:** The PHA must let you know through a notice (the General Information Notice) before they submit the RAD application that they are considering a rehabilitation plan that could require resident relocation. This notice will let you know that if there is a need for relocation you will be eligible for

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assistance. There will not be specific information yet and there is no need for you to take any action. You and your neighbors should consider any questions and feedback you have regarding the tentative plans. (For more information, see [Fact Sheet #3: The RAD Conversion Process](#))

- **Engagement:** You and your neighbors are encouraged to ask questions and ensure you understand your rights and the relocation process. After the property is permitted by HUD to participate in RAD, the PHA must have additional meetings with the residents before converting. Each resident meeting is a good opportunity to ask any questions you may have about relocation, though you can submit questions to the PHA at any point in the process. You will receive separate notices and likely have further discussions with the PHA to go over relocation options. (For more information, see [Fact Sheet #5: Resident Engagement and Consultation](#))
- **Written relocation plan:** The PHA must always conduct relocation planning and typically creates a written relocation plan so that the relocation process can be established and communicated clearly. HUD requires a written relocation plan if relocation will last longer than 12 months or if the housing subsidy will transfer to another property.
- **Notice of Relocation:** If the construction plans for your home require relocation, you will receive a “Notice of Relocation” which will give you a time frame for relocation. It must give at least 30 days’ notice for relocation that will last for a year or less or at least 90 days for relocation lasting more than a year.
- **Beginning relocation.** Relocation cannot begin until HUD issues the “RAD Conversion Commitment” approving the PHA’s conversion plans or the PHA gets special permission for early relocation.



### Can I Choose to Permanently Relocate?

**A resident may accept an option to permanently relocate elsewhere.** The PHA must inform you of your right to return and give you at least 30 days to decide whether to accept another housing option. A PHA cannot use any tactics to pressure you into agreeing to permanently relocate. The PHA must give you information about the relocation rights and payments you are entitled to, any additional benefits or payments you might receive if you choose to accept the alternative, and advice so you can make an informed decision. If the PHA offers you an alternative housing option, it is your choice whether to permanently relocate or to retain your right to return. If you agree to permanently relocate, you will be asked to sign a consent form stating that you have chosen not to return to the property.



*Philadelphia, PA: Resident Keith Washington.*