

BEST PRACTICES: CHOICE NEIGHBORHOODS RELOCATION AND RETURN

Choice Neighborhoods Implementation Grantees are responsible for relocating residents who are displaced because of their Choice Neighborhoods projects. Grantees must follow relocation requirements found in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq; 49 CFR part 24), more commonly known as the URA. The following discussion is provided to help Grantees understand the Choice Neighborhoods program's expectations related to relocation. A key goal of the Choice Neighborhoods program is to support the successful relocation of households; the successful return of households who choose to occupy a revitalized unit; and the stability of households who choose not to occupy a revitalized unit.

URA Requirements

The URA was enacted to establish a uniform policy for the fair and equitable treatment of persons displaced as a direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance. It provides important protections and assistance for people affected by projects involving acquisition, rehabilitation, or demolition of real property. The responsibility for interpreting the URA lies with the HUD Office of Community Planning and Development (CPD). Therefore, before commencing relocation, Grantees should be in contact with the HUD Regional Relocation Specialist to be sure they are complying with the URA. Questions regarding the URA should be directed to the HUD Regional Relocation Specialist. Contact information can be found at www.hudexchange.info/programs/relocation/contacts. Grantees should consult URA requirements found in 49 CFR part 24. The regulations can be found at www.hudexchange.info/resource/804/ura-and-real-property-acquisition-policies-act-49-cfr-part-24. In addition, the Relocation Handbook (HUD Handbook No. 1378, as amended) provides HUD policy guidance on the URA. It can be found in the Policy and Guidance section at www.hud.gov/relocation.

Other Relocation Requirements

Relocation policies and procedures must comply with the URA. There also could be other applicable Federal laws, regulations and executive orders related to relocation. Therefore, some Choice Neighborhoods projects may also be subject to the relocation requirements of other Federal programs.

Choice Neighborhoods Requirements Related to Relocation

Any displacement resulting from a Choice Neighborhoods funded project, including rehabilitation, acquisition, or demolition, is subject to the URA. The Choice Neighborhoods Notice of Funding Availability (NOFA) and Grant Agreement also address requirements that relate to relocation and are specific to the Choice Neighborhoods program. Grantees should consult relevant sections of the NOFA and Grant Agreement, including but not limited to: Resident and Community Involvement; Program Activities; Right to Return for Tenants; Relocation; Housing Choice Voucher Application; and Case Management. These program requirements are important to understand prior to planning for relocation.

Key Choice Neighborhoods Definitions

- Case Management:** An individual- or family-centered approach to assisting residents of the target housing project with accessing the services they want and need.
- Original Resident:** A resident who occupies a unit at the Target Housing under a valid lease or occupancy on the date of the award of the Choice Neighborhoods Implementation Grant, or as defined in the Choice Neighborhoods NOFA.

- ❑ **Replacement Housing:** The rental housing that will replace the Choice Neighborhoods Target Housing which is demolished or otherwise disposed of, as defined in the Choice Neighborhoods NOFA.
- ❑ **Right to Return:** Per Choice Neighborhoods Implementation Grant requirements, Original Residents who are relocated from a Choice Neighborhoods project are eligible to return to and occupy a Replacement Housing unit per the conditions contained in the Choice Neighborhoods NOFA.
- ❑ **Service Coordination:** A systems-centered approach to coordinating multiple services across agencies within a community, based on the needs of the target residents, in order to increase accessibility, utilization and quality of services and to reduce fragmentation in service delivery system.
- ❑ **Supportive Services:** All activities that will promote upward mobility, self-sufficiency, or improved quality of life, including such activities as literacy training, activities that promote early learning and the continuum of educational supports, remedial and continuing education, job training, financial literacy instruction, day care, youth services, aging-in-place, public transportation, physical and mental health services, economic development activities, and other programs for which the community demonstrates need.
- ❑ **Target Housing:** The severely distressed public or HUD-assisted housing project(s) identified for redevelopment as part of the Choice Neighborhoods Transformation Plan.

Overall Relocation Process

The following chart presents a general sequencing of the relocation process for residents of Choice Neighborhoods projects involving the demolition, redevelopment and/or renovation of existing housing. The chart is followed by a more detailed description of some of the primary activities.

Relocation Process	Primary Activities
Relocation and Return Planning	<ul style="list-style-type: none"> ▪ Commence planning prior to submission of Choice Neighborhoods Implementation Grant application to HUD. ▪ Involve residents of Target Housing; establish a plan for keeping residents involved and informed over time. ▪ Hold at least one meeting with residents to address relocation. ▪ Assess the need for relocation and resident preferences. ▪ Assess need for Tenant Protection Vouchers (TPV). ▪ Establish process for identifying relocation housing options. ▪ Develop relocation strategy that minimizes displacement of residents. ▪ Develop return strategy that meets the Right to Return requirement. ▪ Develop a written relocation and re-occupancy plan. ▪ Establish a resident relocation tracking system; track residents leaving prior to issuance of the General Information Notice (GIN). ▪ Issue General Information Notice (GIN).
Required Notices	Key notices required by the URA include:

	<ul style="list-style-type: none"> ▪ General Information Notice (GIN) ▪ Notice of Eligibility (NOE) ▪ Notice of Non-displacement ▪ 90-Day Notice ▪ Move-In Notice
Relocation Process	<ul style="list-style-type: none"> ▪ Establish Initiation of Negotiations (ION) date(s). ▪ Determine resident eligibility for relocation benefits and issue appropriate notices. ▪ Assess resident relocation and return preferences. ▪ Set up early warning system to identify households at risk of eviction and connect them to Case Management. ▪ Request Tenant Protection Vouchers (TPV) from HUD. ▪ Coordinate Case Management and Supportive Services with relocation process. ▪ Provide Case Management and Supportive Services to help residents maintain stable housing and eligibility for the Right to Return. ▪ Provide relocation and mobility counseling to residents of Target Housing up to 3 years after initial relocation to ensure lease compliance and eligibility to return. ▪ Assist residents in locating housing in areas of opportunity. ▪ Provide relocation assistance and payments as required by the URA. ▪ Track 100% of the Original Residents for at least 5 years after relocation.
Right to Return	<ul style="list-style-type: none"> ▪ Commence planning before new/renovated units are ready for occupancy. ▪ Identify residents interested in returning. ▪ Align with return strategy. ▪ Provide moving assistance and payments to residents who choose to return.
Supportive Services and Resident Tracking	<ul style="list-style-type: none"> ▪ Continue to provide Case Management and Supportive Services to residents. ▪ Continue to track residents through the life of the Choice Neighborhoods grant. ▪ Continue to report to HUD on relocation and re-occupancy metrics.

Relocation and Return Planning

A) Relocation and Return Strategy

Grantees should involve residents starting at the beginning of the Choice Neighborhoods planning process (prior to submission of a Choice Neighborhoods Implementation Grant application) and continuously through the life of the Choice Neighborhoods grant. The Choice Neighborhoods program requires Grantees to conduct at least two meetings with residents and one with the broader community before applying for the grant. Relocation issues, such as relocation planning, relocation notices, mobility counseling, relocation assistance, as well as re-occupancy must be discussed during at least one of the resident meetings. Residents of the Target Housing should be involved in developing and reviewing the relocation and re-occupancy plans. Grantees are required to track all Original Residents for at least five years following their

initial move and to report required data to HUD.

Based on feedback from resident meetings, resident surveys and other input, Grantees are expected to develop a written relocation and re-occupancy plan, which addresses the impact of the project on residents of the Target Housing and how residents can successfully relocate and return to the redeveloped project. The relocation and re-occupancy strategies should be integrated with the plan for Case Management and Supportive Services, so that residents of the Target Housing receive the array of services they need to maintain housing stability and eligibility for the Right to Return.

Grantees should consider the following when preparing their relocation and re-occupancy strategies:

- Consider how the Target Housing can be redeveloped to minimize adverse impact on residents. Such as: Can the site be redeveloped in phases which would allow residents to move directly from the Target Housing to the Replacement Housing, thus minimizing moves and disruption? Can the timing of relocation be such that school age children do not move during the school year?
- Budget sufficient funds to comply with all URA requirements Choice Neighborhoods program requirements. Identify potential sources of funds. Choice Neighborhoods Implementation Grant funds may be used for relocation costs (including moving back into the Replacement Housing). Refer to the program Implementation Grants Budget Guidance.
- Ensure that Replacement Housing meets the Choice Neighborhoods one-for-one replacement requirement and provides the size and type of housing units so that all Original Residents can return, should they choose to return.
- Identify relocation housing options in neighborhoods of opportunity, particularly for residents who do not plan to return to the redeveloped housing.
- Assess the need for Tenant Protection Vouchers (TPV). The Choice Neighborhoods program gives Original Residents the option to relocate with a tenant-based voucher, subject to appropriations and availability of vouchers.
- Consider how residents can be assisted with relocation, such as: surveying residents to determine relocation preferences; presenting options for relocation; referrals to comparable and suitable replacement housing in areas of opportunity, with access to high quality schools, transportation, jobs, amenities and services; help in completing housing applications; inspection of relocation housing to ensure that it meets established standards; help in preparing claim forms for relocation payments; and, other assistance needed to minimize the impact of the move and ensure that residents have choices.
- Consider how Case Management and Supportive Services, which are required by the Choice Neighborhoods program, can help residents to become lease-compliant prior to relocation and to remain lease-compliant during relocation so they do not lose their preference to return to the redeveloped site, e.g., regularly communicating with property managers, handling landlord disputes, etc.
- Determine how residents will be notified of meetings held to provide relocation and re-occupancy

updates and to answer questions.

- Determine how to coordinate relocation counseling with Case Management to avoid duplicating assessments of resident needs and preferences, and to ensure that relocation counselors and case managers are collaborating to support successful relocation.
- Based on resident input, develop a written re-occupancy strategy and process for moving residents back to the Replacement Housing that addresses, among other things: informing residents of their Choice Neighborhoods Right to Return to the redeveloped project or to remain in relocation housing; explaining re-occupancy phasing and schedule; how people will be notified when their options for re-occupancy come up; and specifying the process for prioritizing how Original Residents will return and be assigned Replacement Housing units, e.g., length of tenure, lottery, order of relocation, preferences, etc.
- Determine how to ensure that 100% of all Original Residents are tracked for at least five years after their initial move.

B) Initiation of Negotiations (ION)

The Initiation of Negotiations (ION) date for the Choice Neighborhoods program is the date of the execution of the Choice Neighborhoods Implementation Grant Agreement or as otherwise indicated in the NOFA. The ION date is the trigger date for issuance of the Notice of Eligibility for Relocation Assistance (NOE) or the Notice of Non-Displacement to all residents of the Target Housing.

Per the Choice Neighborhoods NOFA, in some circumstances, HUD may determine that a single ION date may be impractical. This might occur if the project is large or located in a community with a limited supply of available housing to absorb the relocated residents. In such circumstances, HUD may approve multiple ION dates based on a phased development plan proposed by the Grantee in the Choice Neighborhoods Transformation Plan. Each demolition phase must have an ION date that is at least 6 months prior to the start of demolition for that phase. For example, if demolition will begin on June 1, the ION date must be no later than the preceding January 1. This approach allows Grantees sufficient time to provide advisory services and relocation counseling to residents and to find suitable relocation housing in a timely manner as each demolition date approaches.

Required Notices

The URA regulations require notices to be issued to residents who may relocate because of a Choice Neighborhoods project. These notices provide key information about the project, the rights and protections of residents, and their eligibility for relocation assistance and payments under the URA. The following provides a brief explanation of the major required notices. **Grantees should consult the URA and the HUD Relocation Handbook for guidance on notices and for sample notices.**

A) General Information Notice (GIN)

As soon as feasible after the date of submission of the Choice Neighborhoods Implementation Grant application to HUD, the Grantee must provide residents/households scheduled to be displaced a General Information Notice (GIN) that meets the requirements of the URA. For the purposes of the GIN, HUD considers all Original Residents as scheduled to be displaced.

The purpose of the GIN is to notify residents of the potential for displacement and provide a general description of the proposed project, eligibility requirements for receiving relocation assistance, types of assistance that may become available and other pertinent information as required by the URA.

Grantees should track all residents that chose to leave the Target Housing and the reason for their departure between the time the Choice Neighborhoods application is submitted and issuance of the GIN, should it be determined they are eligible for relocation benefits.

B) Notice of Relocation Eligibility (NOE)

Promptly after the ION date, all residents that are eligible for relocation assistance as a displaced person must be issued a Notice of Relocation Eligibility (NOE). The NOE must be issued prior to or at the same time as the 90-Day Notice. The NOE must describe the available relocation assistance, the estimated amount of assistance based on the person's individual circumstances and needs, and the procedures for obtaining the assistance, as required by the URA.

C) Notice of Non-Displacement

For residents who do not qualify as a displaced person, Grantee must provide a Notice of Non-Displacement to advise these residents of their status and their right to appeal. The Notice of Non-Displacement may be used for residents not eligible for permanent relocation or to advise residents that they will be temporarily displaced (defined as one year or less) as required by the URA. This notice should be issued at the same time as the NOE, but no later than 30 days prior to relocation, as required by the URA.

D) Move-In Notice

After the date on which the Grantee submits its Choice Neighborhoods Implementation Grant application to HUD, should a new resident ("subsequent occupant") move into a unit at the Target Housing prior to relocation of residents, the subsequent occupant may also be eligible for relocation assistance under the URA, as long as they occupy the unit under a valid lease or occupancy, **unless**, the resident is provided a written Move-In Notice prior to occupancy. The Move-in-Notice must specifically inform the person of the potential for relocation and that no relocation benefits will be available to them if they move in.

E) 90-Day Notice

Each resident to be displaced must be provided a written notice at least 90 days in advance of the earliest date on which they may be required to move. The 90-Day Notice shall not be given before the displaced person is issued a Notice of Relocation Eligibility (NOE) or a Notice of Non-Displacement. The date provided in the 90-Day Notice may be different for each person or group of persons in a project based on the phasing of the project, the location of the occupied buildings, or the project schedule.

Relocation Process

Per Choice Neighborhoods program requirements, relocation counseling must be provided to residents prior to and up to three years after relocation to ensure that all residents understand the relocation process and are prepared to either return to the new development or successfully relocate permanently.

The following is the type of information that should be discussed with residents prior to or soon after submission of the Choice Neighborhoods application to assure that residents are aware of the possibility of displacement and how this might affect them:

- Inform residents that they may be displaced because of the project and generally describe the relocation assistance for which the resident household may be eligible; the basic conditions of eligibility; and, the procedures for obtaining their relocation benefits and payment(s).
- Indicate under what circumstances the Choice Neighborhoods project may not move forward and thus relocation would not happen, e.g., the project does not receive Choice Neighborhoods Implementation Grant funding.
- Inform residents that if they move voluntarily, on their own, or without the knowledge of the Grantee, and prior to relocation by the Grantee, they may not be eligible for relocation assistance from the Grantee and, as discussed in the NOFA, they will not have a Right to Return to the Replacement Housing.
- Describe the residents' Right to Return to a comparable unit at the Replacement Housing and explain any reasonable limitations or conditions on this Right of Return, such as the Choice Neighborhoods requirement that residents be lease-compliant prior to relocation and continue to remain lease-compliant during the relocation period.
- Review the re-occupancy policy so residents fully understand when they may return to the new development.
- Inform residents that they will qualify for relocation counseling as well as assistance in identifying new housing, help in filing payment claims, and other necessary assistance to help them successfully relocate.
- Describe resident's right to appeal the Grantee's determination of eligibility for URA assistance.

Once a Choice Neighborhoods grant has been awarded and relocation is imminent, the following type of information should be discussed with residents so there is a full understanding of how relocation will affect them:

- Describe the notices that will be provided to residents.
- Describe the resident's right to permanent relocation using voucher assistance (including Tenant Protection Vouchers) or other housing options, such as an alternate public housing site.
- Describe the available relocation assistance, the estimated amount of assistance to be provided based on individual circumstances and needs and discuss the procedures for obtaining assistance.
- Describe the specific counseling and supports that have been or will be provided prior and that services will be available prior to and up to three years after relocation.
- Describe the information requirements and procedures the Grantee will use to track the household for no less than five years after relocation.
- Describe the resident's Right to Return to a comparable unit at the Replacement Housing and the

re-occupancy policy. Explain any reasonable limitations or conditions on this right of return, such as the Choice Neighborhoods requirement that residents be lease-compliant prior to relocation and during the relocation period.

- Describe any differences between lease requirements for public housing, tenant-based vouchers, and Replacement Housing, such as utility costs or grievance procedures, so that residents can make informed choices.

Prior to relocation, the grantee must interview each person to be displaced. Following are some key areas of discussion:

- Determine needs and preferences of the resident.
- Explain each step of the process residents must go through as part of relocation, such as applying for vouchers or selecting a new unit, and the expected timelines. Indicate that individualized support will be offered through each step of the process, e.g., help with completing applications and speaking with landlords, arrange tours of new neighborhoods and schools, provide social services or financial referrals, etc.
- Provide current and continuing information on the availability, purchase prices, rental costs of comparable replacement dwellings, the upper limit of the replacement housing payment, etc.
- Search for comparable units in areas of opportunity with lower crime, lower poverty and access to high quality schools, transportation, jobs, amenities, and services.
- Offer and provide transportation to locate and inspect housing.
- Provide information on other local, state or Federal programs that provide assistance; help residents to apply.
- Closely coordinate relocation counseling with Case Management to avoid duplicating assessments of resident needs and preferences and to ensure that relocation counselors and case managers are collaborating to support successful relocation.

Right to Return

The Choice Neighborhoods program has a specific return policy with which Grantees must comply. Residents should be made aware of this policy up front and prior to relocation. Grantees must provide each Original Resident who is relocated as a result of the project the opportunity to occupy a unit at the Replacement Housing, if they were lease-compliant at the time of departure from the Target Housing and remain lease-compliant during the relocation period. These residents must be given a preference to occupy a unit at the Replacement Housing before the unit is made available to any other eligible households. Accordingly, the Choice Neighborhoods Housing plan must provide an adequate number of replacement housing units that can be occupied by households with incomes up to 80% AMI (e.g. and are not limited by another funding source such as LIHTC equity that has a lower income limit). Given this return policy, Grantees must pay for the costs associated with the return of residents to the redeveloped units.

The Choice Neighborhoods Right to Return preference is retained even if the resident has already received permanent relocation assistance. This preference remains available until the initial lease-up of the Replacement Housing is complete. This preference applies to residents that were relocated due to the redevelopment activity. However, residents that voluntarily move prior to relocation do not have this Right to Return preference. Note that relocated residents must be given the right to return, but they are not required to return. They may choose to retain tenant-based voucher assistance provided for relocation from the Target Housing.

Based on resident input, the Grantee must develop a re-occupancy strategy and process for moving residents back to the Replacement Housing that addresses, among other things: informing residents of their Choice Neighborhoods Right to Return to the redeveloped project or to remain in relocation housing; explaining re-occupancy phasing and schedule; how people will be notified when their options for re-occupancy come up; and specifying the process for prioritizing how Original Residents will return and be assigned Replacement Housing units, e.g., length of tenure, lottery, order of relocation, preferences, etc. Note that residents must be lease-compliant, but no other requirements can be added (e.g. work requirements).

Grantees should assist residents to become lease-compliant prior to relocation and to remain lease-compliant during relocation so they do not lose their Right to Return preference. Grantees are encouraged to help residents who are over-income (and thus no longer eligible to return to the Replacement Housing) find other housing in the neighborhood if they desire to return.

If a household is split at the time of relocation and occupants move to separate replacement dwellings, both occupants are entitled to URA relocation assistance, per 49 CFR 24.403(a)(5). However, regarding the Choice Neighborhoods Right to Return preference, only the original head of household will initially have the Right to Return preference. Once all Original Residents have been housed, the Grantee must offer the second household an available unit at the Replacement Housing. If no units are available, then the second household will be moved to the top of the waiting list for the Replacement Housing. Both the original household and the second household are required to be lease-compliant at the time of relocation and throughout relocation.

Supportive Services and Resident Tracking

The Choice Neighborhoods program requires Grantees to offer Case Management and Supportive Services, and Service Coordination to enable residents to be stably housed; to achieve upward mobility, self-sufficiency, and improved quality of life; and to successfully relocate and return to the redeveloped site or maintain stability in the permanent relocation housing of their choice. Thus, Case Management, Supportive Services and Service Coordination are important complements to effective relocation. It is the Grantee's responsibility to ensure that the relocation plan and supports are well coordinated with Case Management and the provision of Supportive Services. These services should begin immediately upon Choice Neighborhoods Implementation Grant award and continue throughout the life of the grant.

An early and ongoing priority of Case Management is to help stabilize residents who are at risk of eviction before, during and after relocation. Therefore, Grantees should set up an early warning system to identify households who are at risk of eviction, which will involve regular communication with property managers and landlords.

The Choice Neighborhoods program requires Case Management to be provided to residents of the Target Housing, with particular focus on those who are “hard to house” or otherwise high need. Case Management is an intensive individual- or family-centered approach to assisting residents with accessing the services they want and need. Case Management must be made available to all residents of the Target Housing before and after revitalization. This includes: 1) Original Residents; 2) residents who are not Original Residents but moved into the Target Housing after grant award, but prior to relocation; and 3) residents who move into the Replacement Housing.