

RELOCATION PLAN

OAKLAND PLACE



I. GENERAL INFORMATION

Purpose

This Relocation Plan sets forth the procedures for relocating residents of the Oakland Place Public Housing Community under the Rental Assistance Demonstration (RAD) Program.

The objective of this plan is to minimize the hardship of relocation and to ensure that each resident required to move in relation to a project activity is provided the full measure of assistance for which the resident is eligible. This Plan outlines requirements to be adhered to under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and the Rental Assistance Demonstration (RAD) relocation requirements..

We are committed to a deeply intentional relocation process with the following goals:

- Minimize disruption to the affected households;
- Efficiently utilize and coordinate limited resources;
- Clearly communicate rights, benefits and responsibilities of all parties; and,
- Follow all applicable statutes and regulations at the federal, state, and local levels.

Project Summary

Oakland Place is a 64-unit family development located at 601-A Layton Street in the City of Florence, South Carolina 29501.

The Florence Housing Authority has partnered with Paces Preservation Partners, a joint venture of SOHO Housing and the Paces Foundations to create a comprehensive revitalization plan to redevelop the existing Oakland Place Public Housing Community through demolition of all 64 units and construction of a new state of the art modern community with amenities designed to better serve the families. The new community will consist of 64 new units financed under the Low-Income Housing Tax Credit with Project Based Vouchers under the Rental Assistance Demonstration (RAD) Program.

Relocation and Demolition

The existing building and units will be demolished and all residents will be temporarily relocated for an estimated period of eighteen to twenty-four months. As the temporary relocation period will exceed 12 months, all residents will be offered the option to elect extended temporary relocation or voluntary permanent relocation.

Preparation for relocation will commence upon notification of funding for the new construction which will include household assessments and advisory services. These services will determine housing needs and assure that families understand available housing options so that they can make a well-informed decision of their housing choice. Families will not be required to move until receipt of the RAD Conversion Commitment (RCC)

Definitions

- A. **Act.** The United States Housing Act of 1937, as amended (42 U.S.C. 1401 et seq.)
- B. **Administrative Plan.** The Florence Housing Authority Housing Choice Voucher Program's Administrative Plan.
- C. **Affected Resident.** Any resident of Oakland Place public housing who is relocated.
- D. **Disposition.** The sale or other transfer by Florence Housing Authority of an ownership interest in the real estate, or improvements thereon, of a public housing development, which sale or transfer is governed by 24 CFR, Part 970.
- E. **Eligibility for Assistance.** All residents who occupy a unit at the time of application approval for an affected site and who are in good standing with the established lease requirements for continued occupancy.
- F. **HCV.** Housing Choice Voucher Program.
- G. **HUD.** The United States Department of Housing and Urban Development
- H. **I.O.N.** Initiation of negotiations is the trigger date for issuance of the notice of eligibility for relocation assistance or the notice of non-displacement to each resident.
- I. **Non-Eligibility.** Any resident required to move due to continued lease or program violations and/or who is determined to be in violation of the lease will not be eligible for relocation assistance.
- J. **Partnership.** The partnership is collectively the Florence Housing Authority and Paces Preservation Partners. The partnership shall have joint responsibility for all relocation described under this plan.
- K. **PPP.** Paces Preservation Partners, the developer or development partner.
- L. **Relocation.** A voluntary or involuntary move in which all belongings are moved from one unit to another
- M. **URA.** The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended.

Compliance with U.R.A.

All relocation procedures and operations related to HUD-assisted project activities (hereinafter referred to as “project” or “project activity”) will be conducted in accordance with the applicable rules and regulations of FHA, the state of South Carolina law and regulations, and specifically the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the “Uniform Act” or “URA”), as amended, and its implementing regulations at 49 CFR Part 24; HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Disposition of Public Housing Projects; Section 18 of the Housing Act of 1937, as amended; and modifications of these as applicable.

In the event of a conflict with this Relocation Plan and HUD regulations and Handbook 1378, as may be amended, HUD regulations shall be viewed as the document of control and shall be regarded as the authority of relocation assistance and payments.

Paces Preservation Partners is the responsible party that will perform all relocation activities under this plan. The Florence Housing Authority will be responsible for assuring that PPP complies with all URA and RAD requirements.

Objective

The objective of this Plan is to minimize the hardships of relocation and to ensure that each tenant required to move in relation to a project activity is provided the full measure of assistance for which the tenant is eligible.

Nondiscriminatory Statement

Residents who are relocated as a result of the demolition of Oakland Place shall be relocated to other decent, safe, sanitary and affordable housing (at rents no higher than permitted under the Act), which is to the maximum extent practicable, housing of their choice, on a non-discriminatory basis without regard to race, color, religion, creed, national origin, handicap, age, familial status, sex, sexual preference, or sex orientation, and in compliance with Federal and State laws.

Completion of Relocation Prior to Demolition

The Partnership certifies that no occupied building will be demolished until all tenants in the building have been relocated to suitable fully decent, safe, and sanitary replacement dwellings, in accordance with the requirements stated above.

II. RELOCATION ASSISTANCE

Eligibility

Any resident of Oakland Place, except a person evicted for cause through court action, who moves permanently or is required to move permanently from a public housing dwelling scheduled for demolition, as a direct result of the project, shall be considered a relocated person with basic eligibility for relocation assistance.

In addition, other tenants also may qualify or become qualified as relocated persons eligible for relocation assistance, such as in the following circumstances: (1) a person who moves permanently as a result of action taken by the housing authority or its representative in order to evade the responsibility of providing relocation assistance; (2) a person who moves on or after the date of HUD approval of the project without receiving adequate notice of the pending project activity or an offer to lease a dwelling on the same property under reasonable terms and conditions; and (3) a person who moves permanently before or after HUD approval of the project, if FHA or HUD determines the displacement resulted from the project activity. Specific provisions related to persons qualifying for relocation assistance are found in Handbook No. 1378, Section 8-114, and the regulations at 24 CFR S 970.5(i). In any situation, FHA and or/HUD also may determine that a person is a relocated person who is eligible for relocation assistance.

Provision of Assistance

Any tenant who is relocated shall be provided relocation assistance and payments in accordance with the applicable law and regulations. Except when a person is evicted for cause through appropriate court action, no eligible tenant will be required to move from any dwelling in a building scheduled for project action until such person:

- has been offered a reasonable choice of decent, safe, and sanitary replacement dwellings at rents not higher than permitted under the Housing Act of 1937, as amended;
- has been allowed sufficient time and provided the reasonable assistance necessary to complete a move to a replacement dwelling; or,
- has been temporarily relocated to a suitable decent, safe, and sanitary dwelling for a limited period of time pending the person's permanent relocation.

Affected Residents

Only those residents whose names appear on the current dwelling lease and who are actually housed at the development on or after the date of approval of the demolition application will be eligible for relocation assistance.

Temporary Relocation Assistance

All residents will be temporarily relocated and retain a guaranteed right of return with no new screening pursuant to the requirements set forth under the Rental Assistance Demonstration Program.

Temporary relocation assistance will include the following.

Moving Services - Residents will receive payment for all reasonable moving expenses. Moving expenses will be paid by the partnership directly to the moving company procured by the Authority for relocation purposes. Materials for packing will be provided directly to residents and upon request, residents will receive assistance with packing and unpacking.

Utility Transfer Fees – will be responsible for the reconnection of essential utilities: electric, gas, water/sewer and internet. PPP will pay required deposits for new service in the form of a “loan”. Payment will be made directly to the applicable utility company and with a notice that if the deposit is refunded it will be refunded to FHA, not the tenants. PPP will not be responsible for any deposit required as a result of the resident’s past payment history. Reconnection fees paid as a reimbursement to the resident based on receipt of the utility bill indicating the amount of the reconnection/transfer fee.

Relocation Assistance for Voluntary Permanent Relocatin

Assistance to Residents that elect voluntary permanent relocation will include counseling and advisory services to ensure that full choices and real opportunities exist for Affected Residents. Permanent Relocation assistance will include the following.

Advisory Services - PPP shall keep each tenant informed about the project, the earliest date it may be necessary to vacate the dwelling, and the availability of relocation services. Tenants shall be provided assistance in completing and filing any necessary application and other forms.

Counseling Assistance - PPP staff will work with families from relocation to re-occupancy. Staff will help families find suitable replacement housing in neighborhoods that have similar, if not better amenities as their current neighborhood. The major goals of counseling assistance include:

- Assist the families to identify suitable rental housing, especially in low poverty areas;
- Negotiate affordable leases;
- Ensure Fair Housing Compliance with potential landlords;
- Keep families connected to social services needed and connect the families to new services available in their new neighborhood.

Special Assistance - If the resident family is elderly or disabled, PPP will provide all reasonable accommodations and special assistance that may be necessary to successfully relocate the family including use of supportive service agencies that work with the corresponding special needs population.

Moving Expenses - Residents will receive payment for all reasonable moving expenses. Moving expenses will be paid directly to the moving company procured for relocation purposes or residents may choose to move themselves, in which case, a flat fee will be paid based on the applicable fixed fee moving schedule for the rooms of furniture pursuant to the effective schedule of the Department of Transportation.

Utility Transfer Fees - Reconnection fees of essential utilities: electric, gas, water/sewer and internet will be paid. PPP will pay required deposits for new service in the form of a "loan". Payment will be made directly to the applicable utility company and with a notice that if the deposit is refunded it will be refunded to PPP, not the tenants. PPP will not be responsible for any deposit required as a result of the resident's past payment history. Reconnection fees will be paid as a reimbursement to the resident based on receipt of the utility bill indicating the amount of the reconnection/transfer fee.

Application Fees – Up to two applications fees for residents to apply to private market rate rental housing will be paid.

Security Deposits- Up to one month contract rent for the security deposit on a new unit will be paid in the form of a "loan". PPP will pay the security deposit directly to the landlord with a notice that if the deposit is refunded it will be returned to PPP, not the tenant. The security deposit held by FHA for the unit at Oakland Place will be refunded to the resident when the unit is vacated.

Replacement Housing Payment – Relocated residents will receive a Housing Choice Voucher. A determination will be made whether a URA Rental Assistance Payment is required in addition to the rental assistance provided under the voucher. Residents may also elect to move to a Public Housing unit at another FHA community.

Resident Owned Fixtures

Resident-owned and installed items or fixtures such as ceiling fans, which have been installed in the unit should be removed prior to relocation. Removal costs will be borne by the resident.

Further, residents should not automatically assume that such items or fixtures can be installed in the replacement unit. The resident is, therefore, urged to read the dwelling lease for guidance regarding this matter and be guided accordingly or consult with the landlords, property owner or site or manager prior to the installation of these items/fixtures in the replacement unit.

Steps in the Relocation Process

1. All Affected Residents will receive a RAD Information Notice (RIN) and a General Information Notice (GIN) at initiation of the RAD conversion process.
2. Each head of household will be personally interviewed to determine housing needs as well as special needs, if any.
3. Each Affected Resident will acknowledge, in writing, receipt of the relocation plan or modified relocation plan.
4. Each resident will receive a notice of non-displacement and notice of eligibility for relocation assistance. These notices may be combined to form one notice, which addresses both issues. These notices will be hand delivered to residents to ensure that all residents receive proper notice.
5. All residents will receive ninety (90) days advance written notice of the earliest date by which he or she will be required to move.
6. Briefing or informational sessions will be conducted to explain the relocation procedure, in detail in advance of the actual relocation.
7. All obligations, including payment of rent, must be continued and current during the entire relocation process.
8. When a problem in relocation is discovered (e.g. an Affected Resident refuses to move or refuses to come into the office or an Affected Resident cannot be found) appropriate action will be initiated by FHA.
9. PPP will establish such supplemental procedures as it deems appropriate to effectuate the smooth, orderly relocation of residents pursuant to this Plan including the establishment of mandatory forms, reports, mailing lists and other educational materials.

III. RELOCATION RESOURCES

PPP will make available the following comparable replacement housing resources for residents of Oakland Place.

1. **Tenant Protection Vouchers** – Housing Choice Vouchers will be available to residents that will be moved from Oakland Place. PPP staff will work with landlords to provide Oakland Place residents with comparable replacement units in which a voucher can be utilized. Residents electing Voluntary Permanent Relocation from Oakland Place will be provided with the portability option to move to another location outside of FHA's jurisdiction at the time of initial relocation.

2. **Other Public Housing Units** – Public Housing units in other FHA communities may be available to all residents of Oakland Place. Residents may elect another Public Housing unit as their permanent relocation option or as a temporary option while continuing their search for permanent housing with their Housing Choice Voucher.

IV. RECORDKEEPING AND NOTICES

Documentation and Record Keeping

Records and documentation related to the relocation of tenants, shall be kept in sufficient detail to demonstrate compliance with applicable laws, regulations, and Handbook No. 1378, Chapter 6.

Such records shall include data on race, ethnicity, gender, and handicap status of relocated persons, and shall be retained for at least three years after the latest date of (1) the issuance of all payments to relocated persons;(2) the date of project completion; or (3) resolution of all issues resulting from litigation, negotiation, audit, or other action.

The Authority will keep evidence verifying that all residents received timely written notices regarding relocation, as applicable; site occupancy records, Residential Relocation and Management report (Handbook 1378, Appendix 21). The records for each household will document the following:

- Name and address
- Required bedroom size
- Family composition
- Special needs
- Housing Choice Voucher
- Current Rent
- Income source
- New unit address
- Copy of claim for moving and related expenses
- Any other information in sufficient detail to be in compliance with all HUD applicable relocation policies.

V. RESIDENT REFUSAL

Failure of Residents to Adhere to Plan

Once the Authority has offered replacement housing to the resident, the Authority will schedule a moving date with the resident. If a problem arises with relocating a resident in a timely manner, because a resident refuses to move or refuses to meet with the Authority regarding a move, or a resident cannot be found, the Authority will initiate appropriate action to address the problem.

Eviction Authority

A process that allows for an eviction authority is necessary in order to ensure that residents will comply with this Plan. An eviction “for the project” will not extinguish a resident’s right to relocation assistance.

This eviction authority will only be enforced for violations pertaining to the relocation effort. All other lease and occupancy violations will be handled under FHA’s normal eviction procedures. This eviction authority will be used in extreme cases. Efforts will be made, in concert with the resident’s independent counsel, if any, to prevent an eviction on these grounds.

Action can be initiated by FHA under these eviction procedures if a resident refuses to:

- move or relocate;
- cooperate with required interviews under this Plan
- cooperate in the relocation process; or
- if a resident cannot be found.

Special Grievance Procedures

Residents who are subject to eviction under the eviction “for the project” authority, or who are aggrieved by any relocation related decision made by FHA, are entitled to appeal under the special grievance procedures, which are outlined below.

This procedure will not apply to evictions for cause related to lease violations and rent delinquencies. Current FHA eviction policies and grievance procedures, as outlined in the Public Housing Admissions and Occupancy Policy and the lease agreement, will apply in those cases.

Grounds for Appeal

Any resident being relocated may file an appeal if he/she has reasonable grounds to believe any of the following to be true:

- (a) A mistake has been made in determining eligibility for payment;
- (b) An error has been made in calculating the amount of payment;
- (c) Unfair treatment has been experienced in waiving the 90-day time limit;
- (d) Failed to receive reasonable choice of comparable replacement unit;
- (e) The replacement housing has not been inspected properly;
- (f) PPP fails to comply with the relocation Plan or the approved plans

Residents requesting an appeal based on the above criteria, shall submit a written notice of a request for an appeal within 10 days from the action or failure to act by PPP. Such notice shall be directed to the FHA Executive Director. FHA shall investigate the claim, meet with the affected resident as needed, and respond to the resident in writing within 10 days from the date of receipt of the appeal.