

TABLE OF CONTENTS

CHAPTER 1. SCOPE, DEFINITION AND GENERAL POLICIES

<u>Paragraph</u>		<u>Page No.</u>
1-1.	Purpose of Handbook	1-1
1-2.	Statutory and Regulatory Authority	1-1
1-3.	HUD Programs Covered by Handbook.....	1-2
1-4.	Definitions.....	1-4
1-5.	Reserved	1-12
1-6.	Certification of Compliance (Assurances), Monitoring and Corrective Action (49 CFR 24.4).....	1-12
1-7.	No Duplication of Payments (49 CFR 24.3).....	1-14
1-8.	Waivers and Time Extensions.....	1-14
1-9.	Compliance with Other Laws, Regulations and Executive Orders.....	1-15
1-10.	Appeals (49 CFR 24.10).....	1-16
Exhibit A	Date of Initiation of Negotiations (ION) for HUD Programs	EX.A-1

CHAPTER 2. GENERAL RELOCATION/TENANT ASSISTANCE
REQUIREMENTS

2-1.	Introduction	2-1
2-2.	Project Planning	2-1
2-3.	Relocation Notices	2-3
2-4.	Relocation Advisory Services	2-6
2-5.	General Requirements – Claims for Relocation Payments	2-6
2-6.	Relocation Payments Not Considered as Income	2-7
2-7.	Temporary Relocation.....	2-8

CHAPTER 3. RELOCATION PAYMENTS -- FAMILIES AND
INDIVIDUALS

3-1.	Purpose of Chapter	3-1
3-2.	Payment for Moving and Related Expenses	3-1
3-3.	Establishing Upper Limit of Replacement Housing Payments.....	3-3
3-4.	Replacement Housing Payment for 180-Day Homeowner-Occupants	3-4
3-5.	Replacement Housing Payment for 90-Day Occupant.....	3-7
3-6.	Replacement Housing Payment for Person Who Is Not A 90-Day Occupant.....	3-9
3-7.	Additional Rules Governing Replacement Housing Payments	3-10

3-8.	Last Resort Housing Measures.....	3-12
3-9.	Special Requirements Covering Mobile Homes	3-12
3-10.	Temporary Relocation.....	3-15
Exhibit 3-1	Compliance with Section 504 of the Rehabilitation Act.....	Ex. 3-1

**CHAPTER 4. RELOCATION PAYMENTS -- BUSINESSES,
NONPROFIT ORGANIZATIONS AND FARMS**

<u>Paragraph</u>		<u>Page No.</u>
4-1.	Purpose of Chapter	4-1
4-2.	Payments for Moving and Related Expenses	4-1
4-3.	Payment for Actual Reasonable Moving and Related Expenses	4-1
4-4.	Personal Property Only Moves	4-3
4-5.	Related Nonresidential Eligible Expenses	4-4
4-6.	Reestablishment Expenses	4-5
4-7.	Fixed Payment for Moving Expenses	4-5
4-8.	Temporary Relocation.....	4-5

CHAPTER 5. REAL PROPERTY ACQUISITION

5-1.	Introduction	5-1
5-2.	Applicability of URA Acquisition Requirements	5-1
5-3.	Voluntary Acquisitions (49 CFR 24.101(b)(1)-(5)).....	5-2
5-4.	Involuntary Acquisition Basic Requirements	5-5
5-5.	Donations	5-20

CHAPTER 6. RECORDKEEPING AND REPORTS

6-1.	Basic Recordkeeping Requirements.....	6-1
6-2.	Relocation/Advisory Assistance Recordkeeping Requirements.....	6-2
6-3.	Recordkeeping Requirements for Real Property Acquisitions.....	6-7
6-4.	Reporting Requirements.....	6-8

CHAPTER 7. SECTION 104(d) RELOCATION REQUIREMENTSSection 1. Scope

<u>Paragraph</u>		<u>Page No.</u>
7-1.	Background	7-1
7-2.	Purpose of Chapter	7-1
7-3.	Programs Covered by Section 104(d) Relocation Requirements.....	7-1

Section 2. Definitions Covering Section 104(d) Requirements

7-4.	URA Definitions in Chapter 1	7-2
7-5.	Agreement	7-2
7-6.	Comparable Replacement Dwelling Unit.....	7-2
7-7.	Displaced Person	7-2
7-8.	Elderly Family	7-5
7-9.	Low/Moderate-Income Dwelling Unit.....	7-5
7-10.	Project.....	7-5
7-11.	Standard Condition and Substandard Condition Suitable for Rehabilitation	7-7
7-12.	Vacant Occupiable Dwelling Unit	7-7
7-13.	(Reserved)	7-8
7-14.	(Reserved)	7-8
7-15.	(Reserved)	7-8

Section 3. Relocation Assistance

7-16.	Relocation Assistance Under Section 104(d).....	7-9
7-17.	Appeals.....	7-11
7-18.	Responsibility of Grantee for Compliance.....	7-12
7-19.	Recordkeeping.....	7-12

Page intentionally left blank.

Section 4. Total Tenant Payment

<u>Paragraph</u>	<u>Page No.</u>
7-20.	Determining Total Tenant Payment7-13
7-21.	Determining Annual Gross Income.....7-13
7-22.	Determining Monthly Adjusted Income7-17
Exhibit 7-1.	Summary of Major Differences Between 104(d) and URA Relocation Assistance

CHAPTER 8. ADDITIONAL PROGRAM REQUIREMENTSSection 1. CDBG Entitlement, CDBG HUD-Administered Small Cities,
UDAG, Special Purpose Grants and Section 108 Loan Guarantee Programs

8-1.	Applicability8-1
8-2.	Minimizing Displacement8-1
8-3.	Definition of Displaced Person8-1
8-4.	Definition of Initiation of Negotiations.....8-4
8-5.	Optional Relocation Assistance8-5
8-6.	Appeal by Lower-Income Person.....8-5
8-7.	Compliance Responsibility of Grantee8-5
8-8.	Application of CDBG Requirements to Other Programs.....8-6
8-9.-8-20.	(Reserved)8-6

Section 2. State CDBG Program

8-21.	Applicable Rules8-7
8-22.	Minimizing Displacement8-7
8-23.	Definition of Displaced Person8-7
8-24.	Definition of Initiation of Negotiations.....8-9
8-25.	Optional Relocation Assistance8-9
8-26.	Appeal by Lower-Income Persons8-10
8-27.	Compliance Responsibilities of State and State Recipients8-10
8-28.	Application of CDBG Requirements to Other Programs.....8-11
8-29.-8-30.	(Reserved)8-11

Section 3. Community Development Block Grants for
Indian Tribes and Alaskan Native Villages

<u>Paragraph</u>	<u>Page No.</u>
8-31. Applicable Rules	8-13
8-32. Minimizing Displacement	8-13
8-33. Temporary Relocation	8-13
8-34. Definition of Displaced Person	8-13
8-35. Definition of Initiation of Negotiations	8-15
8-36. Real Property Acquisition	8-15
8-37. Appeal by Lower-Income Person	8-16
8-38. Compliance Responsibility of Grantee	8-16
8-39.-8-40. (Reserved)	8-16

Section 4. Home Investment in Affordable Housing (HOME)

8-41. Applicability	8-17
8-42. Minimizing Displacement	8-17
8-43. Definition of Displaced Person	8-17
8-44. Definition of Initiation of Negotiations	8-20
8-45. Definition of Project	8-20
8-46. Optional Relocation Assistance	8-21
8-47. Home Tenant-Based Rental Assistance Program	8-21
8-48. Appeal by Lower-Income Person	8-22
8-49. Application of Community Development Block Grant (CDBG) Requirements	8-22
8-50. Compliance Responsibility of Participating Jurisdiction/ Indian Tribe	8-23

Section 5. Rental Rehabilitation Program

8-51. Applicable Rules	8-25
8-52. Definition of Commitment	8-25
8-53. Definition of Displaced Person	8-25
8-54. Definition of Initiation of Negotiations	8-27
8-55. General Policies	8-27
8-56. Timely Notices to Tenants	8-28
8-57. Appeal By Lower-Income Persons	8-29
8-58. Application of CDBG Requirements to RRP	8-29
8-59. Compliance Responsibility of Grantee	8-29
8-60. (Reserved)	8-27
Exhibit 8-5. Flowchart of Tenant Assistance/Relocation Process Under the Rental Rehabilitation Program	

<u>Paragraph</u>	<u>Page No.</u>
------------------	-----------------

Section 6. Housing Opportunities for Persons with AIDS

8-61.	Applicable Rules	8-31
8-62.	Program Description	8-31
8-63.	Minimizing Displacement	8-32
8-64.	Definition of Displaced Person	8-32
8-65.	Definition of Initiation of Negotiations.....	8-33
8-66.	Appeal By Lower-Income Person	8-34
8-67.	Compliance Responsibility of Grantee	8-34
8-68.-8-70.	(Reserved)	8-34

Section 7. Shelter Plus Care; Supportive Housing Program; Emergency
Shelter Grants Program; Transitional Housing Program; Permanent
Housing Program for Handicapped Homeless Persons; Supplemental
Assistance for Facilities to Assist the Homeless (SAFAH)

8-71.	Applicability	8-35
8-72.	Program Descriptions	8-36
8-73.	Minimizing Displacement	8-36c
8-74.	Definition of Displaced Person	8-35c
8-75.	Definition of Initiation of Negotiations.....	8-36e
8-76.	Appeal By Lower-Income Persons.....	8-36f
8-77.	Application of Residential Antidisplacement and Relocation Assistance Plan Requirements	8-36f
8-78.	Compliance Responsibility of Grantee	8-36f
8-79.-8-80.	(Reserved)	8-36g

Section 8. Public Housing Development and Major
Reconstruction of Obsolete Projects

8-81.	Applicability	8-37
8-82.	Minimizing Displacement	8-37
8-83.	Notices to Occupants of Property.....	8-37
8-84.	Temporary Relocation.....	8-39
8-85.	Definition of Displaced Person	8-39

<u>Paragraph</u>	<u>Page No.</u>
8-86. Definition of Initiation of Negotiations.....	8-41
8-87. Acquisition of Real Property.....	8-41
8-88. Appeal by Lower-Income Person.....	8-43
8-89. Compliance Responsibility of PHA.....	8-43
8-90. (Reserved).....	8-43

Section 9. Public Housing Modernization (CIAP and CGP)

8-91. Applicability.....	8-45
8-92. Background.....	8-45
8-93. Minimizing Displacement.....	8-46
8-94. Definition of Displaced Person.....	8-46
8-95. Temporary Relocation.....	8-47
8-96. Expenses of Tenants Not Displaced.....	8-47
8-97. Definition of Initiation of Negotiations.....	8-48
8-98. Appeal by Lower-Income Person.....	8-49
8-99. Compliance Responsibility of PHA.....	8-49
8-100.(Reserved).....	8-49

Exhibit 8-9-1. Flowchart of Tenant Assistance/Relocation Process Under the Comprehensive Improvement Assistance Program (CIAP) and the Comprehensive Grant Program (CGP)

Section 10. Indian Housing Programs

8-101. Applicability.....	8-51
8-102. Minimizing Displacement.....	8-52
8-103. Definition of Displaced Person.....	8-52
8-104. Definition of Initiation of Negotiations.....	8-54
8-105. Appeal by Lower-Income Person.....	8-54
8-106. Compliance Responsibility of IHA.....	8-54
8-107.-8-110.(Reserved).....	8-55

Paragraph

Page No.

Section 11. Public Housing Program -- Demolition or Disposition
of Public Housing Projects

8-111. Applicable Rules8-57
 8-112. Relocation Assistance at URA Levels8-57
 8-113. Relocation Assistance at Non-URA Levels8-57
 8-114. Definition of Displaced Person8-58
 8-115. Definition of Initiation of Negotiations.....8-60
 8-116. Appeal by Lower-Income Person.....8-60
 8-117. Compliance Responsibility of PHA8-60
 8-118.-8-120. (Reserved)

Section 12. Supportive Housing for the Elderly; Supportive Housing for
Persons with Disabilities; Section 202 Projects for the
Elderly or Handicapped; Section 202 Projects
for the Nonelderly Handicapped

8-121. Applicability8-63
 8-122. Background8-63
 8-123. Minimizing Displacement8-64
 8-124. Definition of Displaced Person8-65
 8-125. Definition of Initiation of Negotiations.....8-67
 8-126. Appeal by Lower-Income Person.....8-67
 8-127. Compliance Responsibility of Sponsor/Owner8-67
 8-128.-8-130. (Reserved)

Section 13. Section 8 Project-Based Certificate Assistance Program;
Section 8 Moderate Rehabilitation Program; and Section 8 Moderate
Rehabilitation for Single Room Occupancy (SRO)
for Homeless Individuals Program

8-131. Applicability8-69
 8-132. Minimizing Displacement8-69
 8-133. Temporary Relocation8-69
 8-134. Definition of Displaced Person8-69
 8-135. Definition of Initiation of Negotiations.....8-71
 8-136. Appeal by Lower-Income Person.....8-72
 8-137. Compliance Responsibility of PHA8-72
 8-138-8-140. (Reserved)8-72

Section 14. HOPE for Public and Indian Housing Homeownership (HOPE 1); HOPE for Homeownership of Multifamily Units (HOPE 2); HOPE for Homeownership of Single Family Homes (HOPE 3); Section 5(h) Homeownership Program for Public and Indian Housing; and Section 21 Homeownership (Public Housing Conversion)

8-141. Applicability 8-73

8-142. Displacement Prohibited 8-73

8-143. Notice 8-74

8-144. Temporary Relocation 8-74

8-145. Relocation Assistance to Tenants Who Elect to Relocate 8-75

8-146. Real Property Acquisition Under HOPE 3 8-76

8-147. Application Requirements 8-76

8-148. Appeal by Lower-Income Person 8-77

8-149. Compliance Responsibility of Grantee 8-77

8-150. (Reserved) 8-78

Exhibit 8-14-1. Guideform Information Notice -- Conversion of Tenant To Homeowner (Displacement Not Permitted)

Section 15. Nehemiah Housing Opportunity Grants

8-151. Applicability 8-79

8-152. Definition of Displaced Person 8-79

8-153. Definition of Initiation of Negotiations 8-80

8-154. Appeal of Lower-Income Person 8-80

8-155. Compliance Responsibility of Recipient 8-80

8-156.-8-160. (Reserved) 8-80

Section 16. Section 312 Rehabilitation Loans

8-161. Applicability 8-81

8-162. Minimizing Displacement 8-81

8-163. Temporary Relocation 8-81

8-164. Definition of Displaced Person 8-81

8-165. Definition of Initiation of Negotiations 8-83

8-166. Appeal by Lower-Income Person 8-83

8-167. Application of CDBG Requirements to Section 312 Rehabilitation Loan Program 8-83

8-168. Compliance Responsibility of LPA 8-83

8-169.-8-170. (Reserved) 8-83

<u>Paragraph</u>	<u>Page No.</u>
<u>Section 17. Housing Development Grants (HoDAG)</u>	
8-171. Applicable Rules.....	8-85
8-172. General Policies	8-85
8-173. Definition of Displaced Person	8-85
8-174. Definition of Initiation of Negotiations	8-87
8-175. Appeal of Lower-Income Person	8-87
8-176. Compliance Responsibility of Grantee	8-87
8-177.-8-180. (Reserved)	8-88
<u>Section 18. Section 8 Loan Management Set-Aside for Projects with a HUD-Insured or HUD-Held Mortgage; Section 8 Assistance for Disposition of HUD-Owned Projects</u>	
8-181. Applicability	8-89
8-182. Program Descriptions	8-89
8-183. Minimizing Displacement	8-90
8-184. Temporary Relocation	8-90
8-185. Definition of Displaced Person	8-90
8-186. Definition of Initiation of Negotiations	8-92
8-187. Appeal by Lower-Income Person	8-92
8-188. Compliance Responsibility of Owner	8-92
8-189.-8-190. (Reserved)	8-92
<u>Section 19. Flexible Subsidy Program</u>	
8-191. Purpose of Flexible Subsidy Program	8-93
8-192. Rules That Apply	8-93
8-193. Notice to Residents	8-94
8-194. Definition of Displaced Person	8-94
8-195. Temporary Relocation	8-95
8-196. Appeal by Lower-Income Person	8-96
8-197. Compliance Responsibility of Owner	8-96
8-198.-8-200. (Reserved)	8-96

Paragraph

Page No.

Section 20. Disposition of HUD-Acquired Single Family Property

8-201. Applicability of the URA 8-97

8-202. Policies Applicable to Occupied Property Under
24 CFR Part 291 8-98

8-203.-8-210.(Reserved)..... 8-98

Section 21. HUD-Owned and HUD-Managed Multifamily Properties

8-211. Applicability 8-99

8-212. Minimizing Displacement 8-99

8-213. Relocation Assistance at Non-URA Levels 8-99

8-214. Relocation Assistance at URA Levels 8-100

8-215. Temporary Relocation (All Projects)..... 8-102

8-216. Appeals..... 8-103

8-217. Compliance Responsibility 8-103

8-218.-8-220.(Reserved)..... 8-103

Section 22. Other HUD Project-Based Rental Assistance Programs

8-221. Applicability 8-105

8-222. Definition of Displaced Person 8-106

8-223. Definition of Initiation of Negotiations 8-108

8-224. Appeal by Lower-Income Person 8-108

8-225. Compliance Responsibility of Owner..... 8-108

8-226.-8-230.(Reserved)..... 8-108

Section 23. Prepayment of Low Income Housing Mortgages

8-231. Program Description..... 8-109

8-232. Displacement Policy 8-110

8-233. Relocation Assistance..... 8-111

8-234. Right To Continued Occupancy..... 8-111

8-235. Compliance Responsibility of Owners and Resident Councils 8-112

APPENDICES

Appendix
Number

1. Flowchart – (Reserved)
2. Guideform General Information Notice – Residential Tenant not Displaced
- 2a. Guideform General Information Notice – Nonresidential Tenant not Displaced
3. Guideform General Information Notice – Residential Tenant to be Displaced
- 3a. Guideform General Information Notice – Nonresidential Tenant to be Displaced
4. Guideform Notice of Nondisplacement to Residential Tenant
5. Guideform Notice of Eligibility for Relocation Assistance – 180-Day Homeowner Occupant (Involuntary Acquisition)
6. Guideform Notice of Eligibility for URA Relocation Assistance – Residential Tenant
7. Guideform Notice of Eligibility for URA Relocation Assistance – Nonresidential
8. Site Occupant Record – Residential
9. Site Occupant Record – Nonresidential
10. Guideform Record of Advisory Assistance and Other Contacts
11. Residential Claim for Moving and Related Expenses (HUD-40054)
12. Selection of Most Representative Comparable Replacement Dwelling for Purposes of Computing a Replacement Housing Payment (HUD-40061)
13. Claim for Replacement Housing Payment for 180-Day Homeowner-Occupant (HUD-40057)
14. Claim for Rental Assistance or Downpayment Assistance (HUD-40058)
- 14a. Reclamo para Asistencia para el Alquiler o Asistencia para el Pago Inicial (HUD-40058-S)
15. Claim for Temporary Relocation Expenses (Residential Move) (OMB approval pending)
16. Claim for Actual Reasonable Moving and Related Expenses – Nonresidential (HUD-40055)
17. Claim for Fixed Payment in Lieu of Payment for Actual Nonresidential Moving and Related Expenses (HUD-40056)
18. Invitation to Participate (Public Housing)
- 18a. Resident Survey (Public Housing)
19. Guide for Preparing An Appraisal Scope of Work
20. Guideform Appraisal Contract
21. Residential Relocation Management Report
22. Nonresidential Relocation Management Report
23. General URA Acquisition Process
24. Acquisition Checklist (Guideform)
25. Guideform Notice of Eligibility for Section 104(d) Relocation Assistance – Lower Income Residential Tenant, Section 8 Assistance Available
26. Guideform Notice of Eligibility for Section 104(d) Relocation Assistance – Lower Income Residential Tenant, Section 8 Assistance NOT Available
27. Claim for Rental or Purchase Assistance Under Section 104(d) of Housing and Community Development Act of 1974, as amended (HUD-40072)
28. Residential Moving Expense and Dislocation Allowance Schedule
29. Move-In Notice (Guideform Notice to Prospective Tenant)
30. Guideform Notice to Owner – Involuntary Acquisition

APPENDICES

Appendix
Number

31. Guideform Voluntary Acquisition Informational Notice (agencies w/o eminent domain)
32. Guideform Voluntary Acquisition Informational Notice (agencies with eminent domain)
33. Changes in Public Housing Demolition/Disposition Relocation Requirements under Section 18 of the United States Housing Act of 1937 as amended by QHWRA.