

## Uniform Relocation Act (URA) Non-displacement Summary

If federal funds are used in projects that include acquisition, rehabilitation or demolition (whether or not those portions of the activity are directly assisted), URA relocation requirements are triggered. NOTE: acquisition, rehabilitation or demolition of *rental or owner occupied units* trigger URA relocation.

- URA covers all displaced persons regardless of income.
- URA applies to permanently displaced and temporarily relocated persons.
- URA covers acquisition requirements, which apply to occupied and vacant property.

### Who is considered a displaced person?

- A displaced person can be a tenant, home owner, farm owner or business owner who has to permanently relocate as a direct result of a federally funded project (this can also include personal property, typically owned by someone other than the property owner, which has to be moved off-site because of the project);
- A tenant can also be considered displaced if:
  - The landlord tries to avoid relocation costs by not renewing a lease or telling a tenant to move;
  - The applicant is slow or negligent in providing assistance and advising tenants of their rights;
  - Temporarily relocated tenants who are not offered suitable and affordable units to return to, as defined by the CDBG or HOME Program;
  - The US Department of Housing and Urban Development (HUD) determines that the tenant moved because of the project even if they moved before the application for funding was submitted; and
  - If the terms of the temporary relocation are unreasonable.

*There is no statute of limitations on claims for displaced tenants who were not fully informed of their rights.*

### Who is NOT considered a displaced person?

- Tenants who are evicted for cause and with due process;
- Illegal tenants or those who are not on the lease (if the owner was aware of such persons and took no action, the applicant may need to pay relocation);
- Tenants who were correctly provided Move-in Notices before executing a lease and moving into the property; and
- Owner-occupants who sell or rehabilitate their property voluntarily.

## Acquisition of Land and/or Buildings

If federal funds are used in the acquisition of land and/or buildings, the applicant must submit the Voluntary Acquisition of Land and/or Buildings form to the seller at the time the offer is made. Acquisition rules apply to all acquisitions, including most easements and acquisitions between related entities (e.g. tax credit acquisitions). The applicant and owner must sign this document, which must be returned to the City at the time of application submittal. The form can be found on the City's website at [www.coloradosprings.gov/housing](http://www.coloradosprings.gov/housing), select *Affordable Housing Development* then *Forms, Reports, Templates* and then *URA*.

## Occupied Units

The requirements below must be followed regardless of tenant income.

### Notices

- 1. General Information Notice – Non-displacement (GIN)\*** (*if displacement is anticipated, refer the URA- Displacement Summary*): All tenants of the proposed project must receive a GIN prior to the application submittal or within one (1) week of submittal. This letter must be prepared by the applicant on the City approved template and must be distributed to the tenants by the applicant. The applicant must provide proof that each tenant acknowledged receipt of the GIN by having the tenant sign the City's URA Confirmation Delivery Form or via certified mail, return receipt requested. The GIN notifies tenants that they will not be permanently displaced by the project. A current rent roll must be submitted at the time of application so the City can verify that signatures were received from all current tenants.
- 2. Move-In Notice\***: If a new tenant moves in after application for CDBG or HOME funds, but prior to project completion, the new tenant must be provided with the City approved Move-In Notice, *prior to signing the lease or moving in*. The purpose of this notice is to inform new tenants that they will not be eligible for URA benefits since they are occupying a unit subsequent to the application submittal. If this notice is not provided to the new tenants, and they are displaced, they are eligible for relocation assistance. Proof of acknowledgement of receipt must be provided to the City.
- 3. Move-Out Statement**: If a tenant moves out after the GIN is issued, the applicant must receive a statement in writing from the tenant identifying the reason for moving. This document must be provided to the City. If a tenant is evicted, a statement from the tenant is not required.
- 4. Notice of Non-Displacement (NON)\***: Tenants who will NOT be displaced must be provided a NON after the Notice of Award for the project is issued and prior to the execution of the agreement. The applicant must prepare the notice on the City approved template. . The applicant must provide proof that each tenant acknowledged receipt of the NON by having the tenant sign the City's URA Confirmation Delivery Form or via certified mail, return receipt

requested. A current rent roll must be submitted to the City to verify that signatures were received from all current tenants. *At this time, the City will also verify that all tenants on the most current rent roll received either a GIN or Move-in Notice and those who moved out provided a Move-Out Statement, if applicable.*

**Temporary Relocation – Tenants Who Remain, but are Temporarily Relocated:**

Temporary relocation requirements include:

- Temporary housing must be suitable, decent, safe and sanitary;
- Advance written notice of move-out date and length of temporary move;
- Reasonable terms and conditions of return to rehabilitated property;
- Any increase in monthly rent or utility costs at the temporary unit must be reimbursed;
- Tenant must be reimbursed for out-of-pocket moving costs incurred when moving to and from temporary housing. This includes on-site moving expenses;
- Upon project completion, the tenant must be offered a suitable, affordable unit at the property; and
- Ensure all other conditions are reasonable (location and duration of temporary housing).

All notices can be found on the City's website at [www.coloradosprings.gov/housing](http://www.coloradosprings.gov/housing), select *Affordable Housing Development* then *Forms, Reports, Templates* and then *URA*.

*\*Notices must be understandable by the tenant(s). This may require translation into another language or Braille.*