



## City of Chandler

### Tenant Anti-displacement and Relocation Assistance Plan

This tenant Anti-displacement and Relocation Assistance Plan is prepared by the City of Chandler in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to public housing tenants.

#### Minimizing Displacement

The City of Chandler is committed to a policy to make all reasonable efforts to ensure that activities undertaken through the use of Community Development Block Grant (CDBG) and/or other federal funding will not cause unnecessary displacement or relocation. Such federally funded programs will be administered in such a manner that careful consideration is given during the planning phase with regard to avoiding displacement. Involuntary displacement shall be reserved as a last resort action necessitated only when no other alternative is available and when the activity is determined necessary in order to carry out a specific goal or objective that is of benefit to the public. In this case, community development and housing programs will be planned in a manner which avoids displacement of households or business.

However, "voluntary" relocation (temporary or permanent) may be necessary in order to achieve a benefit to public housing (such as housing rehabilitation or reconstruction). As it pertains to the City's Public Housing, CDBG, HOME and NSP programs, the U.S. Department of Housing and Urban Development Handbook 1378, shall be adopted in its entirety as a part of this policy.

#### 1. Permanent, Involuntary Displacement

The City of Chandler will provide reasonable relocation assistance to tenant displaced permanently and involuntarily as a result of the use of HUD/federal assistance to substantially rehabilitate or demolish a unit. Benefits and assistance to displaced persons may include:

- a. actual moving costs or fixed payment;
- b. financial assistance sufficient to enable the displaced person to occupy a suitable replacement dwelling (tenant benefits vary);
- c. advisory services necessary to minimize hardships in relocating.

#### 2. Provisions for One-for-One Replacement ([Acceptable Replacement Units \(24 CFR 42.375\(b\)\)](#))

The City of Chandler will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 C.F.R. Part 570.

Replacement low/moderate-income units may include public housing or existing housing receiving Section 8 project based-assistance or other types of federal assisted units.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion and will meet the following requirements:

- a. The units will be located within the City of Chandler.
- b. The units will meet all applicable housing, building, and zoning ordinances and will be in standard, good condition.
- c. The units will be designed to remain low/moderate-income dwelling units for at least 10 years from the date of initial occupancy (applies to initial tenant only). [\(See 24 CFR 42.375\(b\)\(5\)\).](#)
- d. The units will be sufficient in size and number (functionally equivalent) to house at least the number of occupants who could have been housed in the units that are demolished or converted.

Before obligating or expending HUD/federal funds that will directly result in such demolition or conversion, the local government (City of Chandler) will make public and submit to the U.S. Department of Housing and Urban Development the following information in writing:

- a. A description of the proposed assisted activity.
- b. The general location on an area map including approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate-income dwelling units.
- c. A time schedule for commencement and completion of the demolition or conversion.
- d. The general location on a service area map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units.
- e. Identification of the source of funding at the time of submittal and the time frame, location and source for the replacement dwelling unit.
- f. The basis for concluding that each replacement dwelling unit will be designed to remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy. (See 24 CFR 42.375(b)(5)).
- g. Information demonstrating that any proposed replacement of a unit with a smaller unit is consistent with the housing needs of LMI persons in the jurisdiction.

### 3. Provisions for Relocation Assistance for Residential Displacement

The City of Chandler will provide relocation assistance, as described in 24 C.F.R. Part 570, to each low/moderate-income household involuntarily displaced by the rehabilitation or demolition of residential housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of HUD/federally assisted activities. Persons that are relocated are entitled to:

- a. A choice between actual reasonable moving expenses or a fixed expense and dislocation allowance.
- b. Advisory services
- c. Reimbursement for reasonable and necessary security deposits and credit checks.
- d. Replacement housing assistance which may include a Section 8 housing voucher/certificate and referral to assisted units; cash rental assistance to reduce the rent and

utility cost or lump sum payment equal to the present value of rental assistance installments to be used toward purchasing an interest in a housing cooperative or mutual housing association.

4. Temporary, Voluntary Relocation

- a. Persons occupying a housing unit which is to be rehabilitated using HUD/federal fund must voluntarily agree to participate in the program and shall temporarily vacate the housing at the direction of the City in order to facilitate the safe, timely and economical rehabilitation process.
- b. A moving allowance will be established and provided to each household.
- c. The City will provide referrals to safe, decent and sanitary housing for use as temporary relocation housing. The unit shall be available free of charge to temporarily displaced households for the time period authorized by the City but generally for the period of rehabilitation construction.
- d. A storage allowance maybe provided if storage is necessary and essential to the move.
- e. Insurance cost for the replacement value of the household property in connection with the move will be provided for the household furnishings.

5. ~~—~~ Permanent, Voluntary Displacement and Relocation

If it is determined by the City that the occupants of a dwelling should be permanently relocated and the occupants voluntarily consent, ~~the courts will assist in the relocation to a decent, safe and sanitary dwelling unit.~~ Benefits will be provided in accordance with the Uniform Relocation Act. C.F.R. Part 570.

6. Tenant Assistance Policy/Federally Funded Rental Rehabilitation Program

- a. It is not the City's policy to displace families in rental units. The City will be required to warrant that the proposed rehabilitation will not cause any tenant to be permanently displaced unless the City will be able to relocate the tenant displaced in accordance with HUD relocation criteria. The City will be required to comply with all URA notice requirements to the tenant in occupancy of a rental unit. Rehabilitation funds will not be used to rehabilitate the rental units if the rehabilitation will cause the permanent displacement of low moderate income (LMI) families.
- b. If it becomes necessary for the City to temporarily move a tenant from a unit as a direct result of rehabilitation assisted through rental rehabilitation funds, the City will assure that the tenant is given a referral to a decent, safe and sanitary dwelling unit at an affordable rate as described in the applicable regulations.
- c. Should temporary displacement become necessary for a tenant as a result of the rental rehabilitation assistance, the City will assure that tenants are provided temporary relocation information, counseling, and housing referrals, Fair Housing information and other relocation services as needed without regard to race, color, religion, sex, familial

status, age, disability, or national origin, so as to enable the family to obtain decent, safe and sanitary housing at an affordable rent.

- d. Where required, compensation to obtain replacement housing shall not exceed the statutory Uniform Relocation Act (URA) threshold.

7. Appeals/Counseling

- a. ~~a.~~ If a claim for assistance is denied by the City, the claimant may appeal, where applicable to the City of Chandler and their decision shall be final unless a court determines the decision was arbitrary and capricious.
- b. Counseling will be provided to ~~displacees~~ displaced tenants in the areas housing counseling, fair housing, real estate transactions, and locating and evaluating replacement housing options. Counseling shall be provided by an appropriate service provider identified by the City.
- c. These services are available to ensure that no person is discriminated against based upon age, race, color, religion, sex, disability, familial status, national origin, or presence of children in the household and that the ~~displaces~~ displaced tenants receives information concerning the full range of housing opportunities within the local housing market.