Appendix D

Antidisplacement and Relocation Assistance Plan

It is the State’s intent that the attached State Relocation Plan meets the administrative requirement under Section 104(d) relocation law and satisfies the public disclosure requirement for the State Relocation Plan through its inclusion in this Annual Plan.

Applicants to the State CDBG and HOME programs will be required to certify they will follow the State Relocation Plan and the Uniform Relocation Act (URA) Requirements when they apply for funds. Program applicants will be required to certify in their CDBG and HOME application’s Statement of Assurances (CDBG) or Applicant Certification and Commitment of Responsibility (HOME) that they will follow the State Relocation Plan and the URA Requirements.

CDBG and HOME contracts with the Department may also contain conditions relating to relocation to ensure any additional relocation requirements will be adhered to, if required. Each program’s application includes items relating to acquisition and/or relocation on application checklists in order to alert the State regarding activities that may trigger compliance with federal relocation law. Contract special conditions language and/or application checklists will help to ensure that any persons eligible for relocation benefits because of activities funded by CDBG or HOME will receive their proper benefits.

A copy of the plan follows.

**State of California**

**Antidisplacement and Relocation Assistance Plan**

 This Residential Antidisplacement and Relocation Assistance Plan (RARAP) is prepared by [Recipient of State CDBG or HOME funds ] 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 our CDBG, UDAG and/or HOME-assisted projects.

**Minimize Displacement**

Consistent with the goals and objectives of activities assisted under the Act, the State Recipient or CHDO awarded federal funds by the State will take the following steps to minimize the direct and indirect displacement of persons from their homes:

1. Coordinate code enforcement with rehabilitation and housing assistance programs.

2. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.

3. Stage rehabilitation of apartment units to allow tenants to remain in the

building/complex during and after the rehabilitation, working with empty units first.

4. Arrange for facilities to house persons who must be relocated temporarily during

rehabilitation.

5. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.

6. Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.

7. Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.

8. Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

9. The State will require all Recipients to adopt specific relocation plans for programs and projects which could trigger relocation activities prior to release of funds for those funded activities.

10. The State will require documentation of relocation notices for proposed activities in funding applications which could trigger relocation of existing persons.

11. All persons subject to relocation will be informed of a formal appeal process. The State will require a formal appeal process to be included in all relocation plans for CDBG projects that displace persons. At a minimum, the appeals process will allow persons to submit written appeals of their relocation determinations or determinations of benefits within 60 days of relocation notification. The formal appeals process will also explain how to contact the State or HUD for administrative review. If the person continues to be dissatisfied with the formal appeals process then the person may pursue legal action to resolve the disagreement.

**Relocation Assistance to Displaced Persons**

The State of California will ensure that all Recipients will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the [CDBG and/or HOME] Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

**One-for-One Replacement of Lower-Income Dwelling Units**

The State of California will ensure that all recipients of federal grant funds, specifically Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) program funds, replace all occupied and vacant occupiable lower income housing units demolished or converted to a use other than lower income housing as a result of investment of these funds in accordance with 24 CFR 42.375.

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a State Contract committing the funds for a project that will directly result in demolition or conversion, the State will require the grant recipient to make public by publication in a newspaper of general circulation, local posting, and submitting to the State, the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower income housing that will be demolished or converted to a use other than as lower income housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or

conversion;

4. To the extent known, the address, number of bedrooms and location on a map of the replacement housing that has been or will be provided.

5. The source of funding and a time schedule for the provision of the replacement

housing;

6. The basis for concluding that the replacement housing will remain lower income

housing for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of housing units with

smaller dwelling units (e.g., a two-bedroom unit with two one-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved local housing element and/or Comprehensive Housing Affordability Strategy (CHAS), and 24 CFR 42.375(b). .

To the extent that the specific location of the replacement housing and other data in

items 4 through 7 are not available at the time of the general submission, the State

Recipient will identify the general location of such housing on a map and complete

the disclosure and submission requirements as soon as the specific data are

available.

The Recipient awarded Federal funds by the State is responsible for tracking the

replacement of lower income housing and ensuring that it is provided within the

required period. The State will monitor the Recipient to ensure the proper number

and types of units are replaced.

The Recipient awarded Federal funds by the State is responsible for providing

relocation payments and other relocation assistance to any lower income person

displaced by the demolition of any housing or the conversion of lower income

housing to another use. The State will monitor the Recipient to ensure the proper

relocation benefits are provided to displaced households. All relocation benefits will

be at or above the required benefits per CFR Part 42 Subpart d pursuant to Section 104(d). If the project receives HOME funds, the requirements of 24 CFR 92.353 must be met.