



COBB COUNTY CDBG PROGRAM OFFICE

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PLAN FOR MINIMIZING DISPLACEMENT/ASSISTANCE FOR DISPLACED PERSONS

No displacement shall occur as a result of the activities outlined under this Relocation Plan. However, federal regulations require that each grantee provide a plan of action to assist persons in the unlikely event of displacement. If displacement should occur, Cobb County will implement the provisions required by 24 CFR Parts 42, 92 and 570, and as outlined in the County's Residential Anti-Displacement and Relocation Assistance Plan [RADRP] originally implemented in 1982, which follows the:

COBB COUNTY CDBG PROGRAM OFFICE 2016 RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION PLAN

Cobb County's policy is to make all reasonable efforts to insure activities undertaken through the use of Entitlement Grant Funds awarded by the United States Department of Housing and Urban Development's Community Development Block Grant [CDBG] Program, Home Investment Partnership Act [HOME] Program/American Dream Down Payment Initiative [ADDI] Program, and the Emergency Shelter Grant [ESG] Program funds will not cause unnecessary displacement or relocation. In fact, Cobb County's policy is to provide HUD grant financial assistance to projects which contain ***no plans for displacement***. The County will continue to administer its HUD Entitlement Grants Programs in this manner. Careful consideration will be given during the planning phase with regard to avoiding displacement. ***Displacement of any nature shall be reserved as a last resort action necessitated only when no other alternative is available.***

If displacement is precipitated by activities which require the acquisition (either in whole or in part) of real property directly by Cobb County, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et. seq.; Pub. L. 91-646), as amended, and referred to as the "Uniform Act", shall be provided to any displaced person(s). Persons displaced by rehabilitation, or "Non-Uniform Act" acquisition, financed (in whole or in part) with HUD Entitlement Grant funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under Section 570.606(a) and HUD implementing regulation at 24 CFR Part 42; (2) the requirements in Section 570.606(b) governing the Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended; (3) the relocation requirements of Section 570.606 (c) governing displacement subject to

Section 104(k) of the Act; (4) the relocation requirements of Section 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act; and/or, (5) the provisions of 24 CFR Part 92.353 for the HOME Program. Note: Beginning with Program Year [PY] 2009, NSP funds are subject to the URA.

I. **Residential Anti-Displacement and Relocation Assistance Plan**

A. Provisions for "One-for-One" Replacement

Cobb County will replace all occupied and vacant low/moderate-income dwelling units demolished or converted to a 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 CFR Part 570.606(b). Low/moderate income replacement units may include public housing or existing housing receiving Section 8 certificate or voucher assistance.

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:

1. The units will be located within the County;
2. The units will meet all applicable County housing, building, and zoning ordinances;
3. The units will be designed* to remain low/moderate income dwelling units for at least 10 years from the date of initial occupancy.

Note: * Design refers to fiscal structure as well as building structure.

Before obligating or expending HUD Entitlement Grant funds that will directly result in such demolition or conversion, the County will make public and submit to HUD the following information in writing:

1. A description of the proposed assisted activity;
2. Once identified, the general location on a county map, including the 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;
3. A time schedule for commencement and completion of the demolition or conversion;
4. Once identified, the general location on a county map and the approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units;

5. The County will identify the source of funding at the time of submittal, and will provide the replacement dwelling units within three years of demolition or conversion;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

Consistent with the goals and objectives of activities assisted under this Act, the Cobb County CDBG Program Office will take the following actions as a result of HUD Entitlement Grant assisted activities:

1. If a major housing demolition program is ever contemplated, it will be structured so that only vacant, dilapidated units will be inspected and considered for demolition;
2. If the proposed project involves demolition and reconstruction on the actual site, Cobb County will meet its "one-for-one" replacement requirement once the housing units are fully reconstructed. The County may choose to provide temporary relocation assistance for the families involved;
3. Provide information to keep citizens involved in the process regarding pending zoning and re-zoning actions that threaten the preservation of residential areas.

B. Provisions for Relocation Assistance for Residential Anti-Displacement

Cobb County will provide relocation assistance, as described in 24 CFR 570.606(b)(2) and in 24 CFR 92.353 to each low/moderate household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of HUD Entitlement Grant-assisted activities. Persons that are relocated are entitled to:

1. A choice between actual reasonable moving expenses as described in the Federal regulations, or a fixed expense and dislocation allowance, as described in the Federal regulation;
2. Advisory services as described in 24 CFR Part 42, Subpart C;

3. Reimbursement for reasonable and necessary security deposits and credit checks
under Section 104(d). [Not applicable under URA];
4. Replacement housing assistance which may include a Section 8 housing voucher/certificate and referral to an assisted unit; cash rental assistance to reduce the rent and utility costs 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 for a period of up to five years.

II. **Section 104(k) Relocation Requirements**

Cobb County will provide reasonable relocation assistance to persons (families, individuals, businesses, non-profit organizations, or farms) displaced (moved permanently and involuntarily) as a result of the use of HUD Entitlement Grant assistance to acquire or substantially rehabilitate property. Assistance to displaced persons may include:

- A. A choice of a “fixed-move” payment for both residential and nonresidential persons, or a payment for actual moving and relocation expenses, documented by receipts and/or vouchers from service providers and utility companies. Non-residential persons who elect to take a payment or reimbursement for moving expenses will be entitled to other move related payments unique to non-residential moves. The documents shall be submitted to the Cobb County CDBG Program Office prior to the disbursement of payment. For nonresidential persons who elect to take an actual move payment, a reestablishment payment will be made if the non-residential person elects to continue their business operation at another site.
- B. Advisory services necessary to help in relocating;
- C. Financial assistance sufficient to enable the ***displaced residential person*** to lease and occupy a suitable, decent, safe and sanitary replacement dwelling where the cost of rent and utilities does not exceed 30 percent of the household gross income for a period of up to forty-two [42] months.
- D. Under Section 104[d], financial assistance sufficient to enable the displaced ***residential person*** to lease and occupy a suitable, decent, safe and sanitary replacement dwelling ***for a period up to 60 months***. The CDBG Program Office has the option of offering you that assistance in cash or under the Section 8 Rental Certificate or Voucher Program. The CDBG Program Office will indicate which option it will provide to the displacee. This assistance is computed by subtracting the Total Tenant Payment [TTP] from the cost of rent and utilities for the new home [or a comparable replacement home, if that cost is

lower]. The monthly need, if any, is multiplied by 60 to determine the total amount the displacee will receive. This amount is directly paid to the displacee. However, the CDBG Program Office may elect to provide assistance in monthly installments, other forms of periodic payments, or in a lump sum.

NOTE: The TTP is the amount a tenant is expected to contribute towards the monthly rent. It is computed at 30% of a family's adjusted monthly income or 10% of the family's monthly gross income or a designated allowance under certain welfare programs.

III. **Optional Relocation Assistance**

At its discretion, Cobb County may provide relocation payments and other relocation assistance for individual families, businesses, non-profit organizations, and farms displaced by projects that do not receive HUD Entitlement Grant funds in any activity of the project and therefore are not subject to the provision of the Uniform Relocation Act, Residential Anti-Displacement and Relocation, or Section 104(k) Relocation Requirements. Person(s) voluntarily electing to participate in this optional relocation assistance program may, but not necessarily, be provided benefits at the County's option, contingent upon the nature and amount of the benefits derived by the person from the assisted activity and the availability of other resources to the person(s). When suitable public housing or governmental rental assistance (Section 8 Housing Certificates or vouchers, etc.) is not available, or appropriate, the following benefits may be provided if it is determined by the County that such benefits are warranted and appropriate:

A. Temporary Relocation Benefits

If it is determined by the Cobb County CDBG Program Office that the occupant(s) of a dwelling should be relocated temporarily in order to permit rehabilitation or replacement of a dwelling, the Cobb County CDBG Program Office may find a decent, safe and sanitary dwelling for their temporary use. Benefits, if provided, will be limited to increases in monthly housing costs incurred by the occupant in an amount equal to the lesser of twelve (12) times the increase, or \$2,000, and reasonable moving and storage expenses. Cobb County may waive the maximum limits or costs for Temporary Relocation benefits, on a case-by-case basis.

B. Permanent Relocation Benefits

If it is determined by the Cobb County CDBG Program Office that occupants of a dwelling should be permanently relocated, the Cobb County CDBG Program Office may assist in the relocation to a decent, safe, and sanitary dwelling unit. Benefits, if provided, will be limited to increases in monthly housing costs incurred by the occupant in an amount equal to the lesser of 24 times the increase, or \$3,600, and

reasonable moving and storage expenses.

C. Moving and Storage Expenses

For dwelling occupants temporarily or permanently displaced, fixed benefits for storage and moving may be allowed. Those benefits may include:

1. Utility connection fees up to \$500- only if the fee is the responsibility of the tenant;
2. Storage expenses, not to exceed \$500;
3. Moving costs based on the latest published schedule published in the Federal Register by the United States Department of Transportation, Federal Highway Administration. [See Attachments, under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended, Fixed Residential Moving Cost Schedule, under 49 CFR Part 24.302;[Moving costs would be allowed per the same schedule for both moves required for temporary relocation.]
4. Insurance for the replacement value of the property in connection with the move, and storage up to \$500; and
5. Cobb County may waive the limits on costs for temporary moving and storage expense on a case-by-case basis.

IV. **Tenant Assistance Policy/Rental Rehabilitation**

- A. It is not Cobb County's policy to displace families in rental units. Participating landlords must warrant that the proposed rehabilitation will not cause any tenant to be permanently displaced unless the owner will be able to relocate the tenant displaced in accordance with HUD/Cobb County relocation criteria. Rental Rehab funds will not be used to rehabilitate any structures, if the rehabilitation will cause displacement of very low income families.
- B. If it becomes necessary for an owner to move a tenant from a unit as a direct result of rehabilitation assisted through rental rehabilitation funds, the owners will assure that the tenant is offered a decent, safe and sanitary dwelling unit at an affordable rate, as described in the applicable regulation. No tenant will be considered displaced if the owner has offered the tenant a decent, safe, sanitary and affordable unit and the temporary relocation does not exceed 12 months. **If the displacement exceeds 12 months, the tenant will be considered "permanently displaced"**.

- C. Should displacement become necessary for a lower income family as a result of the rental rehabilitation assistance, the owner will assure that tenants will be provided the necessary financial assistance, information, counseling, and referrals, housing location options, information regarding Federal Fair Housing rights, and other relocation services as needed, without regard to race, color, religion, sex, age, handicap, or national origin, so as to enable the family to obtain decent, safe and sanitary housing at an affordable rent.