



IEDA URA SUBRECIPIENT PROCEDURES

Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA)

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Version History

Version	Date	Summary Description
1.0	February 2023	Initial URA Procedures for CDBG-DR
2.0	November 2024	Revised URA policy based on URA Final Rule updates effective June 3, 2024
3.0	February 2026	Editorial and compliance updates to reflect 49 CFR Part 24 Final Rule implementation across IEDA programs.



Section 1: Introduction

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), is a government-wide statute that establishes minimum standards for the acquisition of real property and the provisions of relocation assistance when Federal financial assistance is used. This statute was updated by the responsible entity, the U.S. Federal Highway Administration (FHWA), in May 2024 and made effective in June 2024. This document incorporates changes from that update. All Federal agencies, recipients, and subrecipients administering Federally assisted programs must comply with the URA and its implementing regulations at 49 CFR Part 24.

As the Federal agency charged with community development, affordable housing and disaster recovery, the assistance provided by the U.S. Department of Housing and Urban Development (HUD) through its Federal Register Notices allocating the Community Development Block Grant (CDBG) and Disaster Recovery (CDBG-DR) program funds, and all subrecipients of these funds, must adhere to the requirements of the URA and any waivers or alternative requirements intended for disaster recovery purposes that are published in applicable Federal Register Notices. The activities most likely to trigger URA requirements are those that involve the purchase of land (including easements) or buildings, the demolition of real property, and the rehabilitation of real property.

While working to serve the needs of communities under the annual CDBG programs or CDBG-DR for those impacted by various disasters, HUD and the State of Iowa, and subrecipients must be mindful of the potential negative impact on property owners, homeowners, tenants, business owners, farms, and nonprofit organizations and must ensure that all persons affected by such activities are afforded the rights and protections required under Federal law.

These Standard Operating Procedures (SOPs) establish the minimum standards for URA compliance and how HUD applies these standards to programs and the entities that are subrecipients of CDBG & CDBG-DR funds administered by the Iowa Economic Development Authority (IEDA) and implemented by subrecipients, and development entities.

The URA’s objectives are to:

- Provide uniform, fair, and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects;
- Ensure relocation assistance is provided to displaced homeowners, tenants, businesses, and farms to lessen the emotional and financial impact of displacement;
- Ensure that no individual or family is required to move unless Decent, Safe, and Sanitary (DSS) replacement housing is available, within appropriate relocation assistance as required under the URA;
- Improve the housing conditions of displaced persons living in substandard housing; and
- Encourage and expedite real property acquisition by agreement and without coercion.

1.1 URA Definitions and Regulatory Guidance

The URA is codified under Title 42 United States Code, Chapter 61. The U.S. Department of Transportation (DOT) serves as the lead Federal Agency with oversight responsibility for the regulations governing the application of the URA to all federally assisted acquisition and relocation activities conducted out in conjunction with HUD – assisted programs, including CDBG and CDBG-DR. The URA’s implementing regulations are located at 49 CFR Part 24. In addition to these regulations, HUD has issued the [HUD Handbook 1378](#), which provides supplemental program-specific guidance, clarification, and standardized forms tailored to its programs, including CDBG & Disaster Recovery initiatives.

IEDA adopts the definitions set forth in 49 CFR 24.2 for the purpose of implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) within CDBG and CDBG-DR programs. These definitions include the following key concepts:

- a. **Displaced Person:** This term encompasses individuals who are permanently relocated, persons required to move temporarily, and tenants displaced as a result of voluntary acquisition when a binding written agreement obligates the Agency to purchase the property using Federal financial assistance. Operational requirements for persons required to move temporarily are detailed at 49 CFR 24.202
- b. **Owner's or Tenant's Designated are Representative:** The definitions recognize that property owners or tenants may appoint a representative to act on their behalf during the acquisition and relocation processes.
- c. **Decent, Safe, and Sanitary (DSS) Comparable Replacement Dwelling:** As defined by 49 CFR 24.2(a)(8), this refers to a replacement dwelling that meets the regulatory standards of safety, sanitation, and suitability accessibility requirements where applicable.

HUD is in the process of updating Handbook 1378 and related resources to align with the URA Final Rule effective June 3, 2024. As HUD publishes these revisions, IEDA will update the corresponding links and templates on its website to maintain consistency with current Federal requirements.

1.2 Section 104(d) Requirements

In addition to the URA regulations, additional laws have been passed that directly affect HUD programs and relocation requirements. Specifically, Section 104(d) of the Housing and Community Development Act of 1974, as amended, and section 105(b)(16) of the Cranston-Gonzalez National Affordable Housing Act, as amended, place additional requirements for relocating low/moderate income (LMI) households and ensuring one-for-one replacement for demolished or converted affordable housing. However, the Consolidated Notice includes waivers and alternative requirements that alter the original 104(d) requirements. The Consolidated Notice Section IV.F covers these modifications.

Under Section 104(d), relocation assistance for LMI households extends the timeframe for providing housing replacement assistance from the standard 42 months under URA to 60 months. However, the waiver included in the Consolidated Notice limits the available relocation assistance to the amounts and types of assistance for displaced persons to 42 months to align with the URA.

One-for-one replacement requirements are waived for only owner-occupied lower-income dwelling units that are severely damaged by the disaster and not suitable for rehabilitation. This waiver does not apply to tenant-occupied and vacant occupiable lower-income dwelling units that are demolished or converted to another use other than lower-income housing in connection with a CDBG-DR assisted activity. Units that fall into this category will require compliance with one-for-one replacement of the housing unit.

Section 104(d) requirements may be triggered whenever CDBG/CDBG-DR funds are used for a project. These requirements focus on the "loss" of a community's low-income housing, both rental and homeowner, through demolition or conversion. It is concerned with replacing each individual unit of low-income housing that is occupied or occupiable if it will be demolished or converted on a one-for-one basis to maintain the community's supply of affordable housing.

1.3 The Residential Anti-Displacement and Relocation Assistance Plan (RARAP)

IEDA must maintain and implement a Residential Anti-Displacement and Relocation Assistance Plan (RARAP) in accordance with 24 CFR Part 42, describing its actions to minimize displacement and to assist persons or entities that become displaced by HUD-assisted activities, including displaced persons with disabilities.

IEDA must inform HUD if they will be amending an existing RARAP or creating a separate new RARAP specific for CDBG & CDBG-DR programs.

For CDBG & CDBG-DR programs, the RARAP is required to include:

- a. Descriptions of how it plans to minimize displacement of persons (individuals, farms, businesses and non-profits) from homes and neighborhoods (e.g. housing rehabilitation);
- b. Describing how adverse effects of displacement will be mitigated where minimizing displacement is not reasonable, feasible or cost efficient and would not prevent future loss (e.g. buyouts); and
- c. Descriptions must be scoped to the complexity of anticipated displacing activities and focused on planning and budgeting, with special considerations to the challenges displaced persons and vulnerable population experience, or whose circumstances present barriers to obtaining or understanding information or accessing resources.

1.4 Iowa Economic Development Authority (IEDA) Responsibilities

As the recipient of HUD program funds, IEDA is responsible for ensuring compliance with URA, and where applicable, Section 104(d) administering subrecipient relocation and real property acquisition requirements when using CDBG & CDBG-DR program funds for activities that trigger URA or Section 104(d). When a project causes people to move from their homes, businesses, or farms, eligible displaced persons must be provided with relocation assistance, payments, and advisory services. “Displaced person” is a term used to refer to residential and nonresidential (businesses, farms, and nonprofit organizations) owners and tenants who must relocate due to a project.

As the administering agency, IEDA and subrecipient responsibilities include, but are not limited to:

For residential displacements:

- a. Provide relocation advisory services;
- b. Provide required written notices, including a 90 day notice to vacate prior to requiring possession.
- c. Reimburse eligible moving expenses; and
- d. Provide payments for the increased cost of renting or purchasing comparable replacement housing.

For non-residential displacements:

- a. Provide relocation advisory services;
- b. Provide required written notices, including a 90 day notice to vacate prior to requiring possession; and
- c. Reimburse eligible moving and re-establishment expenses.

The procedures provided in this document are designed to establish - for all funded entities - the overall framework for both the execution of URA responsibilities and the manner in which they are documented for compliance. As the responsible entity, IEDA will provide technical assistance and training to support program staff and subrecipients to both understand and implement the URA requirements. However, each subrecipient must develop its own program/project specific URA procedures or “Relocation Plan”, based on the scope and nature of the project undertaking. The procedures detailed here present the baseline standards, along with the required documentation needed to evidence compliance.

1.5 Applicability of URA to CDBG & DR Projects

The purpose of these SOPs is to provide a framework for proper application of URA & Section 104(d) requirements and to assist with examples or sources of supporting documentation. However, they do not replace Federal statutes, regulations, or waivers. While these standard operating procedures provide useful information and resources, it may not cover all applicable URA and 104(d) requirements.

For all subrecipients undertaking activities involving acquisition, rehabilitation or demolition of real property must complete the URA applicability review form (See Appendix 1: URA Screening Form) **If the project will undertake any action that is deemed “not subject to the requirements of the URA,” the program must document why this determination was made.** The screening form can be used as the basis to establish whether the project will or will not be required to comply with the URA.

1.5.1 Benefits of URA and the Risks of Noncompliance

The primary purpose of a sound disaster recovery program, that may include the development of housing, redevelopment of community facilities, or development of public facilities, is to recover from the natural disaster, enhance quality of life and provide economic opportunity. Since relocation is an integral part of potential affordable housing or neighborhood redevelopment projects, this goal should be incorporated in the initial planning to incorporate all required actions of the relocation process and to allow adequate budget and staffing to carry out these actions. It is important to strive to be sensitive to all interests of a project and strike an appropriate balance.

Understanding and applying the requirements of the URA is critical to the success of any sound affordable housing project. Failure to meet any relocation requirement, such as failure to provide written notices detailing rights and benefits, or failure to offer a comparable replacement unit to a displaced person may result in HUD or other legal authorities stopping the project until the URA requirements are met.

In countless projects across the country, public agencies and grantees have been required to find and compensate displaced residents who were not afforded their rights and benefits, as provided under URA requirements. Additionally, significant financial liability has been incurred by projects that either failed to follow correct processes or failed to maintain adequate records. When a public agency or a development entity adheres to and follows the requirements of the URA, not only are owners, occupants, and tenants treated fairly, but the project is also protected financially and legally.

Documentation

Appendix	Document Name
Appendix 1	IEDA URA Applicability Screening Form



Section 2: Real Property Acquisition

2.1 Introduction

This section provides an overview of real property acquisition activities conducted with Federal financial assistance and details the steps consistent with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and 49 CFR Part 24:

- a. **Acquisition Process: The steps involved in acquiring real property.**
- b. **Planning:** Identification of the affected properties, establishment of a timeline, financial requirements, determining value, who will negotiate the purchase, and final project use.
- c. **Valuation:** Determining whether an appraisal or waiver valuation is required.
- d. **Acquisition Method:** The necessary circumstances and conditions that determine voluntary versus involuntary acquisition.
- e. **Administrative Settlements:** Circumstances under which settlements above fair market value are appropriate and who approves of such settlements.
- f. **Eminent Domain/Condemnation:** Procedures when negotiated acquisition is unsuccessful.
- g. **Donations:** Requirements for voluntary donation or real property.

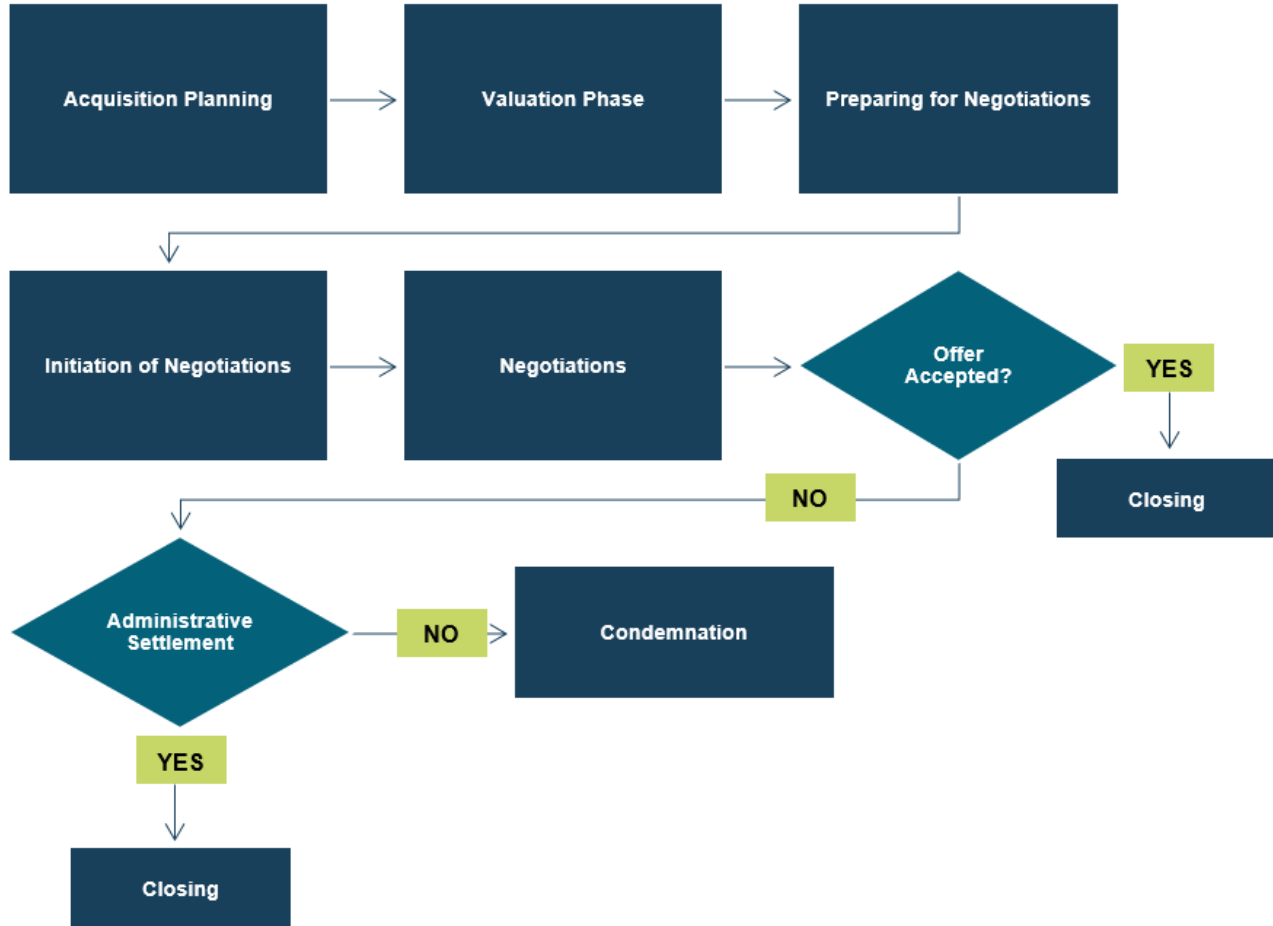
2.1.1 Understanding the Acquisition Process

Projects undertaken by public agencies or other entities using CDBG & CDBG-DR funds may require the purchase of land, buildings, or existing housing units, or easements. When the purchase of real property is necessary for a project (including easements), allocations must comply with URA and CFR Part 24, in order for the acquisition to be eligible for reimbursement under Federal regulations.

Each unique situation must be addressed on case-by-case basis. The specific property, or a portion thereof, to be acquired must be clearly identified. It is important to understand that the need to plan the acquisition process is critical to ensure:

- Compliance with Federal requirements;
- Fair and equitable treatment of owners and occupants including situations involving multiple owners, or someone who holds a life estate, long-term lease, or tenant-owned improvements to the property.

2.1.2 Acquisition Process Overview



2.2 Real Property Acquisition Planning

2.2.1 Acquisition Planning

The key to any successful project delivery is good planning. When acquiring real property for a disaster recovery project, it is necessary to understand all elements that make up a project and to develop a realistic work plan to accomplish the stated objectives. The planning process includes several steps:

1. Identification of the affected property or project;
2. Development of a realistic acquisition timeline;
3. Establishment of an acquisition and relocation budget;
4. Estimation of costs of relocation
5. Preliminary determination of the property value;.
6. Determination of applicability of Section 104(d) one-for-one replacement requirements applicable for demolition and conversion activities; and
7. Completion of the appropriate level of environmental review, undertaking the review, and obtaining authorization to use grant funds *before* purchasing the property.
 - a. An Option to Purchase Agreement can be executed for the property prior to completion of environmental review, provided it is conditioned on environmental clearance and compliance with URA requirements.

The URA requirements make no distinction regarding who needs to fulfill the requirements, only that all necessary steps related to the purchase of the real property are to be followed. The decision as to who accepts and fulfills these responsibilities needs to be discussed and assigned prior to moving forward with the

project. Ultimately, as the HUD grant recipient, IEDA is responsible for ensuring subrecipient compliance with the URA rules and for oversight and monitoring.

This IEDA planning process will culminate in the development of a Relocation Plan to outline the work plan for URA activities. Detailed here are the steps to be completed to develop a Relocation Plan for the project when acquisition will be undertaken.

Step	Summary of Duty
Step 1	Define the Project
Step 2	Identify Who will Acquire Property
Step 3	Identifying Needed Properties and Preliminary Relocation Needs
Step 4	Acquisition Method
Step 5	Acquisition Schedule
Step 6	Acquisition/Relocation Budget
Step 7	Identify Level of Environmental Review and Obtain Authorization to Use Grant Funds (AUGF)
Step 8	Complete Plan

2.2.2 Step 1 – Defining the Project

The URA defines a project as “any activity or series of activities undertaken with Federal financial assistance received or anticipated in any phase” (49 CFR 24.2(a)(20)). Additionally, if affected households are low-income or a project involves the demolition or conversion of a low- to moderate-income dwelling unit, under Section 104(d), the definition of a project expands to include “an activity or series of activities that are integrally related, each essential to the others, whether or not all of the component activities receive Federal financial assistance.”

Other factors that need to be considered when defining a project are:

- a. Location: The property(s) to be acquired is on the same or contiguous sites.
- b. Owner: The properties will have common or related owners, and the project will be carried out by a single owner, developer, sponsor, or closely related entities.
 - a. **Schedule:** The project will take place within a reasonable timeframe; and
 - b. **Objective:** Determine if any specific property is essential to the project’s objectives.

2.2.3 Step 2 – Identifying Entity Responsible for Acquisition

The first step in carrying out any acquisition activity is to define the roles and responsibilities of the entities involved. There are two roles that must be considered—who will acquire the properties and who will be responsible for URA compliance. Typically, these roles are carried out by the same or different entities but must be clearly documented.

Identifying which entity will acquire the property and undertake the following:

- a. Defining the project scope;
- b. Completing the environmental review and request authorization to use grant funds (AUGF);
- c. Issuing the required URA notices to affected parties;
- d. Retaining appraisal services;
- e. Conducting negotiations with the property owner(s);
- f. Identifying and surveys the current occupants;
- g. Attending the property closing;
- h. Providing the appropriate advisory services.

In some cases a public agency, such as IEDA, assembles land for a project and uses involuntary acquisition to ensure proper site assembly. In other projects, the property owner/ developer/ sponsor, purchases a property and uses a voluntary acquisition approach. Different notices are used for voluntary or involuntary acquisitions. The differences between Voluntary and Involuntary acquisitions are discussed in the next sections.

2.2.4 Step 3 – Identifying Needed Properties and Preliminary Relocation Needs

For any project, the acquisition process must begin with the identification of all the property required to undertake and complete the project, including any and all land, buildings, and improvements, as applicable. Next, the project owner, developer or sponsor must identify all occupants (owners or tenants) of the properties, make a preliminary determination as to whether the occupants will be required to move have to move from the property either permanently or temporarily as the result of the purchase of the property. If a determination is made that occupants will need to be relocated, a preliminary assessment of the location and availability of replacement housing (or lack thereof) must be included in the plan.

2.2.5 Step 4 – Acquisition Method

The URA identifies two types of acquisitions that can take place using Federal financial resources, “voluntary” and “involuntary.” The acquisition method reflects the nature and extent to which the acquiring party is willing to pursue ownership of the real property to achieve the project’s objectives. Briefly, the determining factors include:

Voluntary Acquisition: This is typically used when Federal resources are made available for buyout programs or development entities acquiring property for housing or community development activities. Voluntary acquisition occurs when the buyer does not have or will not use the power of eminent domain or condemnation to acquire the property. The transaction must clearly be voluntary and an arm’s length transaction. The sale price and terms can be freely negotiated. This methodology is more streamlined but documentation as a voluntary transaction must be executed, or the project will fall under the involuntary requirements listed below.

Involuntary Acquisition: This is used by government agencies and involves the need to acquire property to meet a pressing or urgent public need, such as development of roads, schools, or other public infrastructure. This type of acquisition may utilize the government’s power of eminent domain or condemnation if they are unable to negotiate the sale. The process must meet specific requirements regarding the acquisition. The involuntary process is more complex requiring appraisals and review appraisals, as it seeks to protect the property owner’s rights and to establish a fair level of compensation for the acquisition.

The basic steps in the acquisition process that need to be accomplished to meet the requirements of the URA are detailed below in Sections 3.4 Voluntary Acquisition and 3.5 Involuntary Acquisition.

2.2.6 Step 5 – Acquisition Schedule

The process of acquiring real property has multiple steps and stages, each being equally important and necessary. Therefore, the planning phase should include considerations for realistic timeframes assigned to each step. Depending on the type of acquisition, these steps might include property identification, feasibility review for suitability of the proposed site, review of local building and zoning codes, survey of current occupants, property appraisal, review of title reports, and site surveys. Certain required time elements should be incorporated into the schedule, the most significant of which is the need to provide each occupant with no less than 90 days written notice before they are required to move.

Occupants cannot be compelled to move until they have received:

- a. All required URA notices; and
- b. An offer of a comparable replacement unit, which, depending on local housing market conditions, may or may not be readily available (consistent with 49 CFR 24.203–24.204).

Based on the complexity and nature of the property to be acquired, and the project proposed for the site, significant time can pass until acquisition is complete.

2.2.7 Step 6 – Acquisition and Relocation Budget

When acquiring property with Federal financial assistance, it is necessary to not only understand all the requirements of the URA but also have sufficient funding to meet all the associated obligations. Acquisition and relocation are expensive.

In planning for the acquisition of real property, a project budget should include costs related to:

- c. The purchase of land, buildings, or housing units, estimated at fair market value;
- d. Transfer of ownership, including customary settlement fees and closing costs (legal assistance, title search, recordation fee);
- e. Environmental review and obtaining an authorization to use grant funds (AUGF);
- f. Property survey(s);
- g. Appraisal(s);
- h. If displacement will occur, relocation payments (including replacement housing payment, moving expenses, and advisory services).

In addition to these direct costs, if displacement will occur, there are staffing requirements associated with meeting the needs of those currently occupying the property. During the planning process, there will be many unknowns that make budgeting difficult. Significant thought and effort need to be undertaken to assign costs for property acquisition, relocation assistance, advisory services, and physically moving occupants. Every effort should be made to estimate the cost since decisions surrounding a project’s feasibility are subject to public review and comment along with approval by units of local government.

A staffing plan for completing administrative duties such as providing notices, advisory services, and processing claims should be considered as a part of the funding decision. Projects could be required to include professional services for a URA professional (URA Relocation Specialist) to create a Relocation Plan and administer all or a portion of the URA/Section 104(d) compliance on behalf of the Subrecipient.

While the URA requirements detail the level of relocation benefit, the need to pay market value for property, and related project soft costs, it does not specify whether these funds must be public or private, only that all necessary and appropriate costs are met. The price of the land or building is only one element of the total project cost. Sufficient financial resources must be identified prior to expressing interest in purchasing real property to ensure the likelihood and best chances for project success.

2.2.8 Step 7 – Determine Level of Environmental Review

Once the property or properties have been identified, the appropriate level of environmental review and clearance must be determined. It is important to ensure that the environmental review is completed and authorization to use grant funds (AUGF) is obtained before purchasing the property. Moving forward and purchasing property without an AUGF can jeopardize the eligibility to use CDBG/CDBG-DR funds for the project.

2.2.9 Step 8 – Completion of Relocation Plan

Upon completion of the preceding steps, the project must incorporate all relevant information, including properties to be acquired and potential displacements that may occur, into a Relocation Plan for the project. This plan shall encompass the elements that are detailed in Appendix 2: “HUD Guideform Relocation Plan” and should be tailored or adjusted to accurately reflect the project and how the URA requirements will be addressed.

Documentation

Appendix	Document Name
Appendix 2	HUD Relocation Plan Guideform

2.3 Valuation

These requirements apply to any acquisition of real property for programs and projects where there is Federal financial assistance in any part of project costs. Before the initiation of negotiations, the real property to be acquired shall be appraised, except in the instances noted in Section 2.3.1.

Before the initiation of negotiations, the Subrecipient shall establish an amount which it believes is just compensation for the real property. The amount shall not be less than the approved appraisal or waiver valuation of the fair market value of the property, taking into account the value of allowable damages or benefits to any remaining property. IEDA must establish the amount believed to be just compensation. Promptly thereafter, the Agency shall make a written offer to the owner or the designated owner's representative to acquire the property for the full amount believed to be just compensation.

2.3.1 Instances Where Appraisal Not Required

An appraisal is not required if circumstances cited at 49 CFR 24.102(c) are met, including the following:

- The property owner donates the property and releases the Agency from its obligation to obtain an appraisal, or
- The Subrecipient determines that an appraisal is unnecessary because the valuation problem is uncomplicated and has a low fair market value, and the anticipated value of the proposed acquisition is \$15,000 or less, based on review of available data.

2.3.1.1 Waiver Valuation

When an appraisal is determined to be unnecessary, the Subrecipient must prepare a waiver valuation, which is not an appraisal as defined under the URA. The person performing the waiver valuation must have sufficient understanding of the local real estate market to be qualified to perform the waiver valuation. Because the waiver valuation is not an appraisal, a review of the waiver valuation is not required.

HUD (the Federal agency funding the project) may approve the use of waiver valuation exceeding the \$15,000 threshold, up to an amount of \$35,000, if the Subrecipient offers the property owner the option of having the Agency obtain an appraisal. See Appendix 3 for a waiver valuation request template.

If the IEDA or the Subrecipient determines that the proposed acquisition is uncomplicated and has a low fair market value, and the property owner is offered the option of an appraisal, the Subrecipient may request approval from the HUD to use a waiver valuation for properties with estimated values of more than \$35,000 and up to \$50,000.

Approval to use a waiver valuation of more than \$35,000, but up to \$50,000, may only be requested on a project-by-project basis and the request for doing so shall be made in writing to the Federal funding agency setting forth the anticipated benefits of, and reasons for, raising the waiver valuation ceiling above \$35,000.

Within (6) months of completion of acquisition activities, the Subrecipient must submit a close-out report to the Federal funding agency documenting administrative saving, settlement outcomes, condemnation rates (if applicable), and any other relevant metrics required by the funding agency. IEDA is required to adequately document both the administrative savings and accuracy and efficacy of the waiver valuations of more than \$35,000, but up to \$50,000, which shall be submitted to the funding agency.

However, if the property owner elects to have IEDA or the Subrecipient obtains an appraisal, they must obtain an appraisal and shall not use the waiver valuation for that property. (See Appendix 3: Low Value Waiver Acceptance Form)

2.3.2 Establishing Fair Market Value in Voluntary Acquisition

In cases where the purchase of the real property is **voluntary**, and eminent domain or condemnation will not be used, an appraisal is not required. *However, fair market value must still be established and documented.* This can be accomplished by utilizing a person knowledgeable of the local real estate market, such as a

realtor or tax assessor. The URA still requires that the basis of how the fair market value determination be documented and the entity acquiring the real property must be able to justify the acquisition cost as reasonable. The Subrecipient or entity is also required to inform the seller of the property in writing of the manner in which the fair market value is determined.

For projects that use a voluntary acquisition approach, other financial partners and lenders may still require that an appraisal be undertaken. This is not unusual and can provide for a good mechanism for justification of prudent measures taken.

Whenever an appraisal is obtained, the appraisal report is typically valid for up to 12 months. If more than a year has passed from the date of the original opinion of value, then the Subrecipient must obtain an updated appraisal report, or a new appraisal to reflect current market conditions prior to acquisition. This will ensure that any recent real estate transactions or sales, costs for replacement, or market rents have been reviewed to update the fair market value of the property to be acquired closer to the date that title to the property will transfer.

2.3.3 Establishing Fair Market Value in an Involuntary Acquisition

When undertaking an **involuntary** acquisition using the power of eminent domain or condemnation, the Subrecipient must obtain at least one appraisal and a review appraisal in accordance with 49 CFR 24.103 and 24.104. Appraisers, and review appraisers selected must be certified and qualified for the type and complexity of the property being valued and based on the appraisal approach identified in the planning process for the project. For high-value or complex properties (for example, properties with an estimated value of \$1,000,000 or multifamily housing, shopping centers, agricultural facilities, or properties with unique valuation issues), the Subrecipient or the development entity is encouraged, but not required to secure two (2) appraisals and a review appraisal completed in accordance with URA requirements.

When an appraisal is undertaken, the property owner (or the owner's designated representative) of the property to be acquired shall be given the opportunity to be present and accompany the appraiser during inspection of the property. Also, if a tenant of the property owns any real property improvements, such as typically found in commercial or industrial facilities, then they also should extend the invitation to accompany the appraiser. This could include fixtures and equipment typically found in a restaurant, such as ovens, refrigerators, counters, or shelving.

The Appraisal Contract (Appendix 4) provides a sample guideform outlining basic requirements for engaging appraisal services. Use of this guideform is optional but may assist in ensuring compliance with URA appraisal requirements.

2.3.4 Securing an Appraisal

Fair market value is established by an independent and impartial appraisal that sets forth an opinion of value supported by the analysis of relevant market, cost and income information, as applicable. Appraisers and review appraisers must be certified under Iowa law in accordance with Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA). The Agency is to obtain a copy and confirm the Iowa Appraiser Certification is current, prior to entering into a contract for services. Appraisals and appraisal reviews may be conducted by certified professionals for a fee or by employees of IEDA or Subrecipient who are certified.

A sample appraiser scope of services and contract (from HUD Handbook 1378-Appendix 20) has been provided in Appendix 4 and 5, respectively, to demonstrate the terms to be included.

Typically, the owner, developer, or sponsor who will purchase the property will engage and pay for the cost for appraisal services. Once a qualified appraiser has been hired, the appraiser needs to select an appropriate *approach to value*, or the manner in which the fair market value will be identified and established. The approach to determine fair market value should be agreed upon prior to beginning any appraisal work and should be appropriate for the real property under consideration for purchase.

There are three (3) approaches to value that can be utilized in the determination of fair market value:

1. **Market or Sales Comparison Approach:** When market data is available, recent comparable sales of similar property types are used to establish property value with appropriate adjustments for location, physical characteristics, and reason for sale (i.e., single family housing, vacant land).
2. **Cost Approach:** This approach is used when special purpose improvements are required, and the buyer would reasonably consider purchasing a comparable site and reproducing the improvements (i.e., manufacturing, and industrial facilities).
3. **Income Approach:** This approach may be used when the property generates rent or income and there may be a lack of adequate market value available for comparison (i.e., apartment buildings, shopping centers, and office and commercial buildings).

Once the appraisal is completed, a qualified review appraiser, separate from the initial appraiser, must review the report to ensure that it complies with the appraisal assignment, applicable professional standards, and URA requirements, prior to the Agency making a purchase offer to the property owner.

If the appraisal report does not meet the assignment requirements or acceptable appraisal standards, then the review appraiser can return the report to the original appraiser for corrections, develop an independent value, or require a different appraiser to provide a new appraisal. The requirements applicable to valuation and review will vary depending on whether the acquisition is voluntary or involuntary. Therefore, the Subrecipient must apply the appropriate standards based on the acquisition method.

Documentation

Appendix	Document Name
Appendix 3	Alternative Valuation Waiver Request and Acceptance Templates
Appendix 4	HUD Appraisal Scope of Work
Appendix 5	Appraisal Contract (HUD 1378 - Appendix 20)

2.4 Voluntary Acquisition

A voluntary acquisition, commonly referred to as an arm’s length transaction, is one in which a property owner willingly makes the property available for sale and the buyer is free to negotiate the terms of purchase. An arm’s length transaction is a transaction between unrelated entities or individuals acting in their own interests. This is the most common form of acquisition method used by affordable housing developers. A **voluntary acquisition** is an acquisition of real property in which the owner is not required to sell, and the acquiring entity does not have the authority to use eminent domain or condemnation or explicitly agrees **in writing** that it will not use such authority if an agreement cannot be reached.

If the acquisition involves tenants, tenant relocation eligibility is established only upon execution of a binding written agreement obligating the purchase, as defined in 49 CFR 24.101(b). When Federal financial assistance is used for the purchase of property, the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and 49 CFR 24.101(b) establish specific conditions under which an acquisition is considered voluntary.

2.4.1 Voluntary Acquisition by a Public Agency (Subrecipients or IEDA)

An acquisition by a public agency is considered voluntary only if all of the following conditions are met:

- a. A public agency will not use its power of eminent domain or condemnation if an agreement of sale cannot be reached;
- b. The public agency has not identified a specific site or property is not part of an intended, planned, or designated project area; and
- c. Public agency informs the owner in writing of the estimated fair market value and of the agency’s intent not to use eminent domain

2.4.2 Voluntary Acquisition by a Development Entity

An acquisition by a development entity (including nonprofit or private developers) is considered voluntary when:

- a. The development entity does not have the power of eminent domain and will not acquire property if agreement cannot be reached;
- b. The property owner is provided with a written estimate of the fair market value of the property; and
- c. The acquisition is conducted as an arm's-length transaction, including acquisitions from a Federal agency or State agencies, where applicable and permitted by program rules.

Step	Summary of Duty
Step 1	Issue Notice of Intent or Interest to property owner (See Appendix 6 and 7)
Step 2	Determine Just Compensation
Step 3	Issue Notice of Just Compensation/Initiate Negotiations
Step 4	Complete Environmental Review and Receive AUGF
Step 5	Move to purchase/property closing

Documentation

Appendix	Document Name
Appendix 6	Notice to Owner – Voluntary (HUD 1378 – Appendix 31)
Appendix 7	Notice to Owner – Voluntary (HUD 1378 – Appendix 32)

2.5 Involuntary Acquisition

An Involuntary acquisition occurs when a public agency determines that it must acquire real property for a public use and is willing to use its authority of eminent domain or condemnation if an agreement to purchase cannot be reached. An acquisition is considered involuntary whenever the Agency has identified a specific property needed for a public purpose and retains the authority to compel the transfer of ownership, regardless of whether the owner is willing to sell. For CDBG-DR funded activities, the Consolidated Notice governing the allocation of disaster recovery funds limits the use of eminent domain to activities that constitute a public use, including:

- Mass transit, railroad, airport, seaport, or highway projects;
- Utility projects that benefit or serve the general public, including energy related, communication-related, water related, and wastewater-related infrastructure;
- Other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government; and
- Projects necessary to remove an immediate threat to public health and safety, including the remediation or removal of brownfield sites, as defined in the Small Business Liability Relief and Brownfields Revitalization Act.

An *involuntary* acquisition must comply fully with all requirements of the URA and 49 CFR Part 24, and at must be adhered to and properly documented. A preliminary requirement is IEDA shall make every reasonable effort to acquire the real property expeditiously by negotiation before initiating condemnation proceedings consistent with 49 CFR 24.102(a).

2.5.1 Involuntary Acquisition Process

The following minimum procedural steps apply to all involuntary acquisitions. As part of the process, the Subrecipient is required to provide, as soon as feasible, the following:

- a. A written notice to the property owner of the Agency’s interest in acquiring the property and that the public agency has eminent domain authority;

- b. A written description of the owner's basic rights and protections under the URA;
- c. Notification that an appraisal and review appraisal will be secured;
- d. An offer to the owner or the owner's designated representative shall be offered the opportunity to accompany the appraiser during the inspection of the property.

In addition to these steps, IEDA is required to provide a specific written notice informing the owner of the Agency's interest – or intention to acquire the property. These notices are:

- e. Notice of Interest: Informs the property owner that IEDA has a preliminary interest in acquiring their property, that fair market value will be offered, and that if the property is acquired, the owner will be eligible for benefits and protection under the URA.
- f. Notice of Intent to Acquire: Informs the property owner that IEDA intends to acquire their property, that fair market value will be offered, and that the owner will be eligible for benefits and protected under the URA. (See Appendix 8: Notice of Intent – Involuntary (HUD 1378 – Appendix 30))

Once either a Notice of Interest or a Notice of Intent to Acquire has been issued, the Agency will order an appraisal to begin the valuation process and determine just compensation for the property to be acquired.

Initiation of Negotiation (ION)

Upon completion of the appraisal and review appraisal, the Agency must establish an amount believed to be just compensation, which shall not be less than the approved fair market value. The Agency must then issue a written **Notice of Just Compensation** accompanied by a summary statement, describing the basis for the offer. The issuance of the written offer of just compensation constitutes Initiation of Negotiations under 49 CFR 24.102(b) and establishes relocation eligibility related to the acquisition. (See Appendix 9: IEDA Written Offer of Just Compensation Template)

Regardless of the method of delivery, either in person, through approved method of electronic delivery, and by registered or certified mail, it is important to document the date of receipt of these notices. The method of delivery of these written notices should be determined in the acquisition planning phase to ensure timely and fair treatment of all affected property owners.

Following Initiation of Negotiation (ION), the Agency shall contact the owner, and if feasible, meet in person to explain:

- The offer of just compensation;
- The acquisition process; and
- Any relocation benefits or advisory services that may apply,

The owner must be provided with a summary statement that clearly identifies:

The real property (or a portion thereof) to be acquired, including tenant-owned improvements, buildings, and fixtures. This and their assigned values. The owner must be provided a reasonable opportunity to consider the offer and to submit information relevant to determining value. If the material presented or conditions affecting value of the property to have changed, the Agency may order a revised or updated appraisal. All IEDA and Subrecipient program representatives must be careful not to engage in any actions that could be viewed as coercive to seek a faster agreement on behalf of the property owner.

Clarifying Principles: It is important to understand that an involuntary acquisition:

1. Specific procedures and written notices with prescribed content are mandatory and must be followed, all affected property owners; and
2. If the Agency identifies a property needed for a public purpose and retains the authority exercise eminent domain, the acquisition is involuntary, even if the property is offered for sale on the open market or the owner is willing to sell. All URA requirements applicable to involuntary acquisition must be satisfied in such cases. Although an owner may be happy to have IEDA acquire its property, this sale must still confirm by way of the required steps discussed herein.

2.5.2 Involuntary Acquisition Process Steps

Step	Summary of Duty
Step 1	Issue written Notice of Intent or Interest to property owner
Step 2	Secure appraisal and review appraisal to establish property valuation
Step 3	Submit Appraisal(s) for Review
Step 4	Issue Notice of Just Compensation/Initiate Negotiations
Step 5	Complete Environmental Review and Receive AUGF
Step 6	Move to purchase/property closing

Documentation

Appendix	Document Name
Appendix 8	Notice of Intent – Involuntary (HUD 1378 – Appendix 30)
Appendix 9	IEDA Written Offer of Just Compensation

2.6 Negotiations

The requirements to carry out lawful negotiation depend, in large part, on whether the acquisition is voluntary or involuntary. As discussed above, regardless of the type of acquisition, the property owner must be informed of the fair market value of the property under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and 49 CFR Part 24. All negotiations must be conducted in good faith and in a manner that is non-coercive, transparent, and fully documented

For multiple acquisitions in a general geographic area, the Agency will treat owners similarly in determining just compensation, administrative settlements, and other acquisition terms, and will document this consistency analysis in the parcel files.

2.6.1 Negotiation in Voluntary Negotiations

In a voluntary acquisition, negotiation may proceed only after the property owner has been informed in writing of the estimated fair market value of the property and that eminent domain or condemnation will not be used if an agreement cannot be reached.

When the owner accepts the written offer, the transaction can proceed to settlement, in accordance with applicable State and local requirements governing the transfer of title to real property. Settlement documents must reflect the agreed-upon purchase price and any negotiated terms.

2.6.2 Negotiation in Involuntary Negotiations

The negotiation process in an involuntary acquisition is highly regulated in order to protect the rights of the property owner. This approach to acquisition has many specific steps and requirements that must be adhered to and properly documented. In accordance with 49 CFR 24.102(a), a public agency shall make every reasonable effort to acquire the property expeditiously by negotiation before initiating condemnation proceeding.

As part of this process, the Agency must, as soon as feasible:

- g. Provide a written notice to the property owner of the Agency’s interest in acquiring the property and of the Agency’s authority to exercise eminent domain;
- h. Provide a written description of the owner’s basic rights and protections under the URA;
- i. Notify the owner that an appraisal and a review appraisal will be conducted; and
- j. Offer the owner, or the owner’s designated representative, the opportunity to accompany the appraiser during the inspection of the property.

Negotiations are formally initiated only after the Agency establishes just compensation and issues a Notice of Just Compensation, accompanied by a summary statement. The issuance of this notice constitutes the Initiation of Negotiations (ION) as defined in 49 CFR 24.102(b).

2.6.3 Administrative Settlements

Fair market value is an opinion of value, and disagreements regarding value may arise during negotiations. In some cases, IEDA may choose to pay more than the offer of just compensation (fair market value) for real property. These types of cases are settled administratively, when based upon the Agency's prudent judgment it is in the public interest to purchase the property at an amount exceeding the fair market value. Depending on who is authorized to approve this action, the value of the property, or other state or local requirements, these types of settlements may require approval by a city council, board of supervisors, or legislative body.

Administrative settlements should not be used to correct problems with an appraisal or review, and appraisers should not be influenced to change their value conclusion to justify settlement. Administrative settlements may eliminate the need to turn to a court for a resolution when reasonable negotiation fails. The acquisition file should provide adequate documentation to support the administrative settlement as reasonable and cost-effective. This notation might include evaluating the costs to be incurred if the property were taken through eminent domain but might also include things such as the impact on further delays to the project.

2.6.4 Eminent Domain/ Condemnation

Eminent Domain, also called condemnation, is the power of a government agency (granted under State law) to acquire real property for a public use as long as the government pays "just compensation" to the property owner, in accordance with the URA. When eminent domain is utilized by Federal, state, and local governments to acquire land for the development of roads, highways, schools, and other public facilities. States and local governments have also used eminent domain for neighborhood revitalization and redevelopment initiatives. Eminent domain is usually the acquisition method of last resort when negotiations fail to result in an agreement for the purchase of property.

Public agencies will refer these condemnation actions to their legal representatives to initiate court action, in accordance with state and local law. Consistent with the most recent HUD guidelines, when an acquisition of real property uses eminent domain, there must be supporting documentation establishing the "public good" of the project. This may include needed public facilities, purchase of repetitively flooded properties, or public infrastructure. Usually, the public agency will deposit with the court an amount of money determined to be just compensation and await the court's decision. A judge or jury may decide a condemnation case. Both parties, the public agency and the property owner, may offer evidence supporting their claim to the value of the property to be acquired.

Generally, most cases focus on compensation for the property to be acquired. This process may take significant time to resolve, depending on the court's availability and schedule. The Agency, upon deposit of funds with the court, will seek a "right-of-entry" from the property owner, to permit the project to move forward, while awaiting final determination from the court. As a result of a condemnation proceeding, IEDA may be required to pay more than the original offer of just compensation.

2.6.5 Donations

A property owner who has been informed of his rights and benefits under the URA, may voluntarily choose to donate all or a portion of a property to either IEDA or a development entity that is required for a project. The Agency or development entity is still required to obtain an appraisal unless:

- The owner releases the Agency or development entity of this obligation; or
- The value of the property is easily determined and estimated at \$15,000 or less and follows the waiver valuation method in accordance with 49 CFR 24.102(c) as described in Section 2.3 of this document. If the development entity is a nonprofit organization, a donation of all or a portion of a property may be in the interest of the owner. In such a case, an appraisal will help establish the value of the donation.

Whenever a donation of property, or a portion thereof, is accepted by the Agency or development entity, the owner needs to be informed in writing of their URA rights and benefits, including the right to receive fair market value. It is important to be able to establish and demonstrate that a property owner donates their own free will, and that neither coercion nor punitive action were ever implied or threatened.

Documentation

Appendix	Document Name
Appendix 10	HUD 1 Settlement Statement

Section 3: Residential Relocation

3.1 Relocation Plan

In accordance with the requirements established under the URA (49 CFR 24.205), each project or program that may result in displacement must develop a project-specific Relocation Plan using the HUD Guideform (Appendix 2) as a reference. The Relocation Plan must be scaled to the complexity and scope of the project and updated as conditions change. At a minimum, the Relocation Plan must include:

- **Project or Program Summary**
 - A description of the proposed project or program;
 - Includes project/ program purpose, scope, and anticipated acquisition and rehabilitation or demolition activities.
- **Occupancy Inventory for Site at Initiation of Negotiations**
 - General location of the project (map);
 - Identification of residential and non-residential occupants, as applicable.
- **Occupants to be Relocated**
 - Temporary Relocation
 - Number of residential occupants in the households to be moved temporarily;
 - Temporary relocation policy and anticipated duration;
 - Method of payment—for temporary moves;
 - Method of payment for utilities and housing-related costs.
 - Permanent Relocation
 - Residential occupants – the number of households to be displaced;
 - Method of payment for permanent move;
 - Method of payment for relocation assistance.
- **Relocation Destinations**
 - Temporary Housing
 - On-site or off-site housing location(s);
 - Moving and storage arrangements;
 - Reimbursement of reasonable out-of-pocket expenses;
 - Comparable Replacement Housing
 - Area market rental rates;
 - Average utility costs;
 - Availability of comparable replacement units.
- **Off-site Acquisition and/or Relocations**
 - Identification of any off-site property acquisitions or relocations necessary to carry out the relocation strategy.
- **Identification of Impediments and Mitigation Strategies**
 - Identification of potential impediments to relocation, such as housing shortages, accessibility barriers, transportation constraints, or language access needs, and strategies to overcome potential impediments.
- **Estimated Relocation Costs and Budget**
 - An estimate of all anticipated relocation costs, including advisory services, moving expenses, replacement housing payments, temporary relocation expenses, and administrative costs.
- **Occupant Notifications**
 - Identification of all required URA notices for residential occupants;
 - Documentation of delivery and receipt of notices, including evidence of constructive or actual delivery.
- **Appendices**
 - Supporting documentation, forms, worksheets, and maps referenced in the Relocation Plan

3.2 Occupant Interview/Survey

In accordance with 49 CFR 24.205(c), the Agency must conduct an interview with each affected household to determine relocation needs and preferences. The interview must be limited to information necessary to provide relocation assistance and must be conducted in a nondiscriminatory manner. See Appendix 13 for a copy of the Resident/Occupant Interview Form.

During the intake interview, the Agency representative should complete the following steps:

1. Identify property address and occupant

- a. Property address and occupant name(s)
- b. Updated contact information
- c. Current rent roll (applicable for multi-unit properties)
- d. Determine if household has Limited English Proficiency (LEP)
- e. Survey form to allow occupants to specify any accommodation needed (accessible unit, inability to climb stairs, paratransit)
- f. Schedule household interview using Occupant Interview Form (Appendix 13)

2. Document Conditions of the Displacement Unit

- a. Complete the first two pages of “Site Occupant Record – Residential” (Appendix 11)
- b. Interior and exterior photographs of displacement unit
- c. Record any notable features/characteristics of housing unit

3. Conduct resident/occupant interview consistent with CFR49 CFR 24.205(c)(2)(ii)

- a. Identify LEP households and arrange for language assistance (as appropriate)
- b. Advise household/occupant of purpose of contact
- c. Verify General Information Notice (GIN) receipt
- d. Provide HUD relocation brochures
- e. Explain the project timeline

4. Interview Content

To the extent necessary to determine eligibility and appropriate assistance, the interview may include:

- a. Description of the program or project
- b. Advise household of relocation advisory services and benefits and provide HUD Brochure
- c. Review of anticipated relocation schedule
- d. Copy of current lease
- e. Utility bill (2 to 3 months) when utilities are tenant-paid
- f. Current residential address for displaced-on-site tenants
- g. Household income documentation for adult members (18 +) (see Appendix 14)
- h. Public housing or rental subsidy (Section 8 or other assistance)
- i. Identify household pets (i.e., type, breed, number)
- j. Identify special needs (i.e., physical disability, age, transportation)

5. Information Collected for Relocation Planning (see Appendix 13)

Information obtained shall be limited to what is necessary to plan and deliver relocation assistance and may include:

- a. Names of occupants and their relationships, identification of head of household;
- b. Exact address of displacement dwelling;
- c. Telephone number(s) of residents;
- d. Determination of language access assistance for persons with limited English proficiency;
- e. Age, sex, marital status, and minority group classification of each person;
- f. Date person first occupied the dwelling (documented by rent payment or utility receipt);
- g. Housing data, including size of current dwelling by number of rooms and square feet;
- h. Employment information relevant to relocation location decisions;
- i. Household income and assets, broken down by each wage earner in the household necessary to determine replacement housing affordability;

- j. Current housing-related expenses;
- k. Housing preferences relevant to relocation (e.g., neighborhood, rental or purchase, subsidized housing);
- l. Special housing needs (e.g., proximity to day care or medical facilities).

Information regarding health conditions, household hardships, or deficiencies, for example, lack of furniture, drug addiction, alcoholism, poor housekeeping standards; shall not be solicited through direct questioning but may be noted only when volunteered by the household or observer, and only to the extent necessary to address relocation barriers or accommodation needs.

NOTE- Income Verification - To accurately determine the family or individual's ability to pay for replacement housing, income information must be verified using documentation provided by the household. See Appendix 14 for the Income Certification Form.

Documentation

Appendix	Document Name
Appendix 11	Site Occupancy Record – Residential (HUD 1378 - Appendix 8)
Appendix 12	Site Occupancy Record – Non-Residential (HUD 1378 - Appendix 9)
Appendix 13	IEDA Resident/Occupant Interview Form
Appendix 14	Income Certification (Program Form)
Appendix 15	Certification – Legal Status (Program Form)

3.3 Relocation Notices

In accordance with the requirements established under the URA (49 CFR 24.203), each project or program must provide written information and notification pertaining to the relocation process. These notices must be provided in English, Spanish, or a language most familiar with the affected household in accordance with the IEDA Citizen Participation and Language Access Plan (LAP).

The notices include, but are not limited to, the following:

- k. HUD Brochures – (available in English and Spanish)
- l. When an Agency Acquires Your Property (HUD-1041-CPD) - (see Appendix 16)
- m. Relocation Assistance to Tenants Displaced from Their Homes (HUD-1042-CPD) - (see Appendix 17)
- n. Relocation Assistance to Displaced Homeowner Occupants (HUD-1044-CPD) - (see Appendix 18)
- o. General Information Notice (GIN) – (HUD Handbook 1378-3) - (see Appendix 20)
- p. Notice of Relocation Eligibility (NOE) – (HUD Handbook 1378-6) - (see Appendix 22)
- q. Notice of Non-Displacement – (HUD Handbook 1378-4) - (see Appendix 21)
- r. Ninety (90) Day Notice - (See Appendix 23)
- s. Combined Notice (NOE and 90-Day Notice) – (see Appendix 24)
 - Optional: Combined Notice (NOE and 90 Day Notice) – (see Appendix 24)

Allowable Methods of Delivery for Notices

- a. Certified mail
- b. Registered mail
- c. Personal or hand delivery
- d. Electronic delivery and signatures, permitted under (49 CFR 24.5).
 - Electronic delivery of required notices (e.g., email) is permitted only with voluntary opt-in, where the project maintains proof of receipt, accessibility, and ensures language access, signature integrity controls, legal compliance certification, and record retention.
 - Electronic delivery must also comply with HUD implementation guidance. Electronic signatures, when used, must independently comply with the requirements of 49 CFR 24.5(e) and applicable State and Federal law.

Certified mail remains the default method. Evidence of receipt must be documented to establish that all notices have been delivered. Certified or registered mail can be verified by checking the U.S. Postal Service website found at: https://tools.usps.com/go/TrackConfirmAction_input.

If notices were provided via personal/hand delivery, a receipt must be signed by the household/occupant to evidence receipt (see Appendix 19).

Documentation

Appendix	Document Name
Appendix 16	HUD Brochure - 1041 - CPD "When an Agency Acquires a Property"
Appendix 17	HUD Brochure – 1042 – CPD "Relocation Assistance When Tenants Displaced from Their Homes"
Appendix 18	HUD Brochure – 1044 – CPD "Relocation Assistance to Displaced Homeowner Occupants"
Appendix 19	Method/Manner of Notice Delivery
Appendix 20	General Information Notice: > Tenant Not-Displaced (HUD 1378 – Appendix 2) > Business Not-Displaced (HUD 1378 – Appendix 2a) > Tenant Displacement (HUD 1378 – Appendix 3) > Business Displacement (HUD 1378 – Appendix 3a) > HUD Brochure – 1043 – CPD "Relocation Assistance to Displaced Businesses, Non-profit Organizations, and Farms"
Appendix 21	Notice of Non-Displacement – Residential Tenant (HUD 1378 – Appendix 4)
Appendix 22	Notice of Eligibility for Relocation Assistance: > Homeowner (HUD 1378 – Appendix 5) > Residential Tenant (HUD 1378 – Appendix 6) > Non-Residential (HUD 1378 – Appendix 7)
Appendix 23	IEDA 90 Day Move Notice Template
Appendix 24	IEDA Combined NOE/90 Day Move Notice Template

3.4 Relocation Resource and Advisory Services

In accordance with the requirements established under the URA (49 CFR 24.205(c)), the subrecipient shall contact each displaced persons, including persons required to move temporarily. Advisory services must be appropriate to each household’s needs and provided in a manner that ensures effective communication and nondiscrimination. Advisory services may include assistance with:

- Access to Medical Care
- Social Services Information (Social Security, Food Stamps, Veterans’ Benefits, or Other Similar Financial Assistance Programs)
- Transportation Needs
- Employment Counseling and Job Training
- Aging Issues
- Financial Management and Planning
- Family Planning
- Legal Aid

Documentation

Appendix	Document Name
Appendix 25	Record of Advisory Assistance/Case Log (HUD 1378 – Appendix 10)

3.5 Replacement Housing of Last Resort

Whenever comparable replacement housing is not available within the monetary means for displaced households or occupants, the program must provide additional alternative assistance under the provisions found at 49 CFR 24.404. “Housing of Last Resort” allows the Subrecipient to provide assistance, either a replacement housing payment or a purchase differential payment that exceeds the limits established at 49 CFR 24.401(b) for owner-occupants and 49 CFR 24.402(a) for tenants. Congress provided a statutory exemption to these limits (P.L. 91-646, Sec. 206).

Use of last resort housing is **required** wherever an owner-occupant or tenant cannot otherwise be appropriately housed within the monetary limits. Under no circumstances shall a displaced person be required to move from a displacement dwelling unless comparable replacement housing is available, nor shall any displaced person be deprived of rights afforded under the Uniform Relocation Assistance and Real Property Acquisition Policies Act or its implementing regulations.

Housing of Last Resort can be provided using one or more of the following methods, as appropriate:

1. **Cash Assistance:** Assistance exceeds the maximum assistance found at 49 CFR Part 401(b) or 402(a) for replacement housing payment.
2. **Other Last Resort Housing:** Construction of new housing or rehabilitation of existing housing to provide comparable, replacement dwelling units.
3. **Option of Displaced Person:** Displaced household accepts alternative housing assistance, such as housing voucher or a project-based rental subsidy (if available).

The Subrecipient must establish upon completion of the housing market analysis for the project area that based on comparable, available dwelling units, relocation assistance will be provided under replacement housing of last resort. Whenever a program or project cannot proceed on a timely basis because comparable replacement dwelling units are not available within the monetary limits for owner or tenants, the program must provide additional assistance. Determination to provide last resort housing assistance must be adequately justified using either of the following options.

3.5.1 Option 1 – Individual Case-by-Case Determination

Provide a detailed memorandum to the individual case file for each displaced household that establishes which of the three (3) approaches for Last Resort Housing will be used in this case – memorandum must be signed and dated by the preparer and approved by the Subrecipient prior to the issuance of an individual Notice of Eligibility. (See Appendix 26 for the Last Resort Housing Memorandum Template)

3.5.2 Option 2 – Determination of Project-wide Basis

Include either in the project’s (a) Relocation Plan (if prepared) or (b) standard project-wide memorandum to file. Prior to initiation of any issuance of Notice of Eligibility (NOE), for the project-wide that all displaced households in the project will receive assistance under the provision of Housing of Last Resort, this memo must be included in each case file.

Documentation

Appendix	Document Name
Appendix 26	IEDA Last Resort Housing Memorandum Template

3.6 Displacement Process

3.6.1 Permanent Displacement

In accordance with the requirements found at 49 CFR 24.204(a), no person to be displaced shall be required to move from a dwelling unit unless at least one comparable replacement dwelling has been made available. When possible, three or more comparables should be made available, and the Agency must provide the displaced person with information on the comparables used to set the payment limit. To the extent necessary, the project should conduct an on-site survey of occupants and document all relevant information in the Site Occupant Record (see Appendix 11 and/ or 12).

A project must plan to collect detailed information about each person's income and replacement housing resources in a sufficient manner to meet the project needs. If a shortage of comparable replacement housing resources is anticipated, the project must develop how the project will adequately address the shortage, including housing of last resort options.

Comparable replacement housing dwelling units must not only meet the needs of the displaced person but must also meet the criteria defined in the URA regulations found at 49 CFR 24.2(a)(6). For any replacement unit to qualify as "comparable", the dwelling unit must be a decent, safe, and sanitary (DSS) dwelling unit that meets local housing and occupancy codes. Further, if any of the following standards are not already addressed by local code or standards, the following shall apply:

- a. Be structurally sound, weather tight, and in good repair.
- b. Contain a safe electrical wiring system adequate for lighting and other devices.
- c. Contain a heating system capable of sustaining a healthful temperature of 70 degrees.
- d. Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person.
- e. Contain a separate, well lighted, and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.
- f. Contain a kitchen area that has fully usable sink, connected to potable hot and cold water, and connected to a sewage drainage system.
- g. Contain adequate space and utility service connections for a stove and refrigerator.
- h. Contain unobstructed egress to safe, open space at ground level.
- i. For a disabled person, be free of any barriers which preclude reasonable ingress and egress, or use of the dwelling unit for a person with physical disabilities, visual or hearing impairment.

Additionally, in order to qualify a dwelling unit as comparable, a site inspection will be required. The purpose of the site inspection shall be to ensure that all of the above detailed requirements for a potential comparable dwelling unit have been verified and documented. The site inspection documentation shall include the individual dwelling unit site report.

The individual Comparable Dwelling Unit site inspection report shall include pictures of the unit:

- a. Exterior photograph (front, including ingress/egress)
- b. Interior photograph (general living space)
- c. Interior photograph – kitchen
- d. Interior photograph – bathroom
- e. Exterior photograph (rear, including ingress/egress)

Once the specific Site Occupancy Record for the displaced unit has been completed, the program must take into consideration the following factors to identify comparable units:

- f. Number of people in the household
- g. Dwelling size and number of bedrooms and bathrooms
- h. Parking (if applicable)
- i. Household income
- j. Special needs (physical disability, visual or hearing impairment, other)

- k. Neighborhood
- l. Location of area schools and distance from comparable units
- m. Distance to place(s) of worship (if applicable)
- n. Distance or location of childcare facilities (if applicable)
- o. Public transportation – distance and type of service (rail, subway or bus)
- p. Employment – distance
- q. Neighborhood shopping
- r. Sale price or rent/utility costs
- s. Date available

3.6.2 Selection of Final Comparable Dwelling

Step	Summary of Duty
Step 1	Conduct local housing market analysis.
Step 2	Interview households to be displaced and complete Site Occupancy Record.
Step 3	Based on Site Occupancy Record, identify potential comparable replacement dwelling units, using housing market analysis.
Step 4	Conduct on-site inspection of potential comparable replacement dwelling unit and document within the Individual Comparable Dwelling Report.
Step 5	Identify three (3) comparable available replacement units, but no less than one. If only one (1) comparable is identified, supporting documentation must establish why less than three (3) comparable units were available.
Step 6	Summarize and complete comparable analysis using HUD Form 40061 “Selection of Most Representative Comparable Replacement Dwelling”.
Step 7	Prepare Notice of Relocation Eligibility based on final analysis detailed on HUD Form 40061.

3.6.2.1 Step 1: Conducting a Housing Market Analysis

Based on the nature and location of the project, a local housing market analysis may be conducted using various resources, including but not limited to, local advertisements in newspapers of daily/weekly circulation, using internet or web-based search data, or contacting local real estate agents who may have property listings for rent or sale. This analysis should also include public and affordable housing developments, if located in the project area, as well as senior (age restricted) housing. Listed herewith are several web-based property search listings for potential rental and for sale listings:

- Multiple Listing Service: (<http://www.mls.com/search>)
- Trulia: (<https://www.trulia.com>)
- Apartments.com: (<https://www.apartments.com>)
- Zillow: (<https://www.zillow.com>)
- Realtor.com: (<http://www.realtor.com>)

Use of these resources should provide an initial overview of the current market pertaining to both rental and for sale residential housing within a community. If little or no sufficient results are produced to establish an inventory of potential comparable replacement dwellings, further steps may be warranted to determine the characteristics of the local housing market. These may include contacting local units of government (building/code inspectors), public housing authorities, local real estate agents, or state certified appraisers who may have more detailed local market knowledge and background.

It is recommended that if using internet or web-based search tools, the sale or rental listing be printed and retained as “point time evidence” of availability. If working with local real estate agents or local property owners, sufficient supporting documentation pertaining to the property listing must be maintained in the individual case file.

3.6.2.2 Step 2 – Interview Households to be Displaced

Upon approval of a project, the Subrecipient or URA Relocation Specialist must conduct a personal interview of displaced persons to determine their needs and preferences. The interview is the method to establish a “profile” of each displaced person or household to assist with their relocation needs. Information obtained from the individual interviews will enable the project to provide appropriate relocation assistance and advisory services.

When interviewing residential households that will be displaced, the URA Relocation Specialist must identify the following characteristics:

- a. Number of persons in the household
- b. Dwelling size and number of bedrooms
- c. Household income
- d. Special needs (physical or mental disability, visual or hearing impairment)
- e. Identification and location of children’s schools
- f. Place for worship
- g. Childcare needs
- h. Transportation needs
- i. Community linkages
- j. Family needs
- k. Pets
- l. Physical needs
- m. Place of Employment
- n. Personal desires and preferences relative to relocation

The URA Relocation Specialist must complete an individual interview form (See Appendix 13), along with a Site Occupancy Record (See Appendix 15) for each displaced household. This Site Occupancy Record will establish the elements and factors when locating and evaluating potential comparable replacement dwelling units.

3.6.2.3 Step 3 – Identify Comparable Replacement Dwelling Units

Based on the local market analysis and the individual interview of the displaced household, the URA Relocation Specialist will need to identify three (3) comparable replacement units, based on individual household characteristics determined through the individual interview. It is recommended that 5 to 7 units be initially identified, as to create a pool or current inventory of potential comparable units, however no less than 3 units must be used for side-by-side comparison.

3.6.2.4 Step 4 – On-site Inspection Comparable Replacement Dwelling Units

The URA Relocation Specialist will conduct an on-site inspection of a group or pool of comparable dwelling units that were identified in Step 3. This on-site inspection is to affirmatively review and document that the following conditions are satisfied:

- a. Unit is decent, safe, and sanitary.
- b. Meets local building and/or housing code.
- c. For pre-1978 properties, passes a lead-based Paint Visual Assessment.
- d. Functionally equivalent in square footage, number of bedrooms, and amenities.
- e. Unobstructed egress to safe, open space at ground level.

3.6.2.5 Step 5 – Identify Three (3) Best Comparable Replacement Dwelling Units

In the event, due to unforeseen circumstances or unique factors, less than 3 comparable units are used to establish the most representative comparable replacement dwelling unit, the URA Relocation Specialist must detail specifically why less than 3 comparable dwelling units are being used. This written justification, with sufficient detail, must be prepared and approved in advance of the completion of this step by a Subrecipient program manager or division director.

One required factor for a unit to qualify as comparable, and to be included in the Notice of Relocation Eligibility (NOE), is that the dwelling must be available for sale or lease. It is recommended that the URA Relocation Specialist create a pool or inventory of potential comparable units, along with weekly updates as dwellings come on or go off the market. This continuous update will assist in provision of relocation assistance in a timely fashion.

3.6.2.6 Step 6 – Selection of Most Representative Comparable Replacement Dwelling Unit

Once the URA Relocation Specialist has identified 3 comparable replacement units, using the information documented through housing market analysis, on-site inspections, and the Occupant Site Record for the displacement unit (Appendix 11), the selection of the most representative Comparable Replacement Dwelling shall be finalized using HUD Form 40061 - Selection of Most Representative Comparable Replacement Dwelling (see Appendix 27). This determination must be reviewed and approved by a Subrecipient program manager or division director.

It is important that this final determination is fully documented, as this establishes the upper limit for relocation assistance. The information from HUD Form 40061 the final determination will be provided to the displaced household and used by the program to compute the replacement housing payment. For purposes of establishing the payment limit, the selected comparable replacement housing unit shall be located or in a nearby similar neighborhood where housing costs are the same or higher.

3.6.2.7 Step 7 – Prepare Notice of Relocation Eligibility (NOE)

Upon completion of Step 6, the information regarding comparable replacement dwelling units must be incorporated into the Notice of Relocation Eligibility (NOE), with the most representative comparable replacement unit being identified. The identification of the most representative comparable replacement housing units will permit the program to determine the “upper limit” of the relocation assistance. The upper limit of the replacement housing payment shall be established on the basis of the cost for a comparable replacement dwelling unit that is most representative of, and equal to, or better than, the displacement unit. This issuance of a Notice of Eligibility cannot occur until all the proceeding steps detailed herein have been completed, including approval of the selection of the most comparable replacement dwelling unit by a Subrecipient program manager or division director.

Documentation

Appendix	Document Name
Appendix 11	Site Occupancy Record (HUD1378 – Appendix 8)
Appendix 27	Selection Comparable Replacement Dwelling (HUD Form–40061)

3.7 Replacement Housing Payment (RHP)

All involuntarily displaced persons are eligible to receive some form of relocation benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act. The level and type of assistance will depend on several key factors, including:

- a. Whether the displaced person is a homeowner or tenant;
- b. Whether the displaced person is a residential household, business, farm, or nonprofit organization;
- c. Length of time the displaced person occupied the displacement property prior to the initiation of negotiations; and
- d. For residential households, the person’s income.

Eligibility for relocation assistance is not income-based; however, a household’s income is a factor in determining the amount of assistance for certain benefits. Certain households may be eligible for different types of assistance depending upon their income level.

3.7.1 Forms of Assistance

The following relocation services may be provided to displaced persons regardless of income or status as a tenant or property owner:

- a. **Advisory Services:** Including timely written notices of project dates, informational booklets, explanation of relocation assistance, referrals to comparable replacement housing, referrals to social services, counseling, and advice on rights under the Fair Housing Act.
- b. **Replacement Housing Assistance:** This assistance is provided as either rental assistance or purchase assistance. In the case of tenant relocation assistance, the household, and not the state/local government, has the right to choose whether rental assistance is provided through a Replacement Housing Payment (RHP) and tenant-based rental assistance.
- c. **Moving and Related Expenses:** The displaced person can choose from either a payment for actual reasonable moving costs and related expenses, or a fixed moving expense and dislocation allowance based on a U.S. Department of Transportation (DOT) schedule that is published periodically.
- d. **Re-establishment Expenses for Businesses:** The displaced business receives assistance with re-establishing their business in a new location. See Section 4.7 See Section 4 4.7 of this document for more information.

3.7.2 Occupancy Requirements – Homeowners and Renters

- a. **Less than 90-day Occupants** - Section 24.404(c)(3) (Housing of Last Resort) requires the IEDA or the Subrecipient to provide assistance to a displaced owner or tenant occupant who fails to meet the 90-day requirement for length of occupancy of the displacement dwelling, prior to the initiation of negotiations. A displaced person who fails to meet the length of occupancy requirements under 49 CFR 24.401(a) or 24.402(a) qualifies for assistance based on 49 CFR 24.402(b)(2)(i) or (ii) if the person is low-income. If the person is not low-income, the calculation is based on 49 CFR 24.402(b)(2)(i) only.
- b. **90-day Homeowner** – A 90-day homeowner is eligible for replacement housing payment if the person has owned and occupied the displacement dwelling for no less than 90 days immediately prior to the initiation of negotiations. 49 CFR 24.401(b) requires the replacement housing payment for an eligible 90-day homeowner-occupant to not exceed \$41,200. The payment is limited to the amount necessary to relocate to a comparable replacement dwelling within 1 year from the date the displaced homeowner-occupant is paid for the displacement dwelling, or the date a comparable replacement dwelling is made available to such person, whichever is later. If costs will exceed the \$41,200 limit, Housing of Last Resort (49 CFR24.404) may be used.
- c. **90-day Tenants and Certain Others** – A 90-day occupant is a person who has actually and lawfully occupied the displacement dwelling for at least 90 days immediately prior to the initiation of negotiations. Section 24.402(a) requires a tenant *or homeowner* displaced from a dwelling to be entitled to payment not to exceed \$9,570 for rental assistance or as downpayment assistance to purchase a home. The displacee qualifies for assistance based on 49 CFR 24.402(b)(2)(i) or (ii) if the person is low-income. If the person is not low-income, the calculation is based on 49 CFR 24.402(b)(2)(i) only. If costs exceed the \$9,570 limit, Housing of Last Resort (24.404) may be used.
- d. **Increased Interest Costs –90-day Homeowners** - Where the displacement dwelling has valid liens in place for at least 180 days prior to the initiation of negotiation, 49 CFR 24.401(d) requires the payment for increased mortgage interest cost to be the amount which will reduce the new mortgage balance to an amount which could be amortized with the same monthly payment for principal and interest as that for the mortgage(s) on the displacement dwelling.
- e. **Reverse Mortgages – 90-day Homeowners** - The payment for replacing a reverse mortgage is contained in 49 CFR 24.401(e) and shall be the difference between the existing reverse mortgage

balance and the minimum dollar amount necessary to purchase a replacement reverse mortgage which will provide the same or similar terms as that for the reverse mortgage on the displacement dwelling. In addition, payments shall include other debt service costs, if not paid as incidental costs, and shall be based only on reverse mortgages that were valid liens on the displacement dwelling for at least 180 days prior to the initiation of negotiations.

3.7.3 Replacement Housing Assistance - Homeowners

A special calculation is used to provide a Replacement Housing Payment (RHP) for a homeowner who has occupied the displacement dwelling for at least 90 days prior to the initiation of negotiations. The RHP for a homeowner who has occupied the replacement dwelling unit for less than 90 days is calculated in the same manner as that given to a displaced tenant, as detailed in the section below.

For homeowners occupying a displacement dwelling for 90 days or more, the Replacement Housing Payment shall equal the sum of:

- The amount by which the cost of the comparable or actual replacement unit exceeds the acquisition price of the displacement dwelling;
- Any eligible increased mortgage interest costs; and
- Reasonable incidental expenses related to purchase of the replacement dwelling.

The RHP is calculated by subtracting the acquisition cost from the lesser of the comparable dwelling unit or the actual replacement unit. HUD-40057 is the form used to calculate the amount of RHP for homeowners.

3.7.3.1 Example RHP Calculation

	Calculation Factors	Costs
A	Acquisition Price (actual) Comparable Unit (established by IEDA) Replacement Unit (unit family purchased)	\$65,000 \$80,00 \$87,0000
B	Lesser of Comparable or Actual <i>(Comparable Unit – Acquisition Price)</i> Financing Cost Incidental Cost	\$15,000 \$1,000 \$2,700
C	Replacement Housing Payment <i>(Lesser + Financial Cost + Incidental Cost)</i>	\$18,700

Relocation benefits for owner-occupants who have been in residence less than 90 days are calculated and provided in the same manner as if the occupant were a tenant.

While the URA regulations refer to a displaced homeowner RHP cap of \$41,200, 49 CFR Section 24.404 (Housing of Last Resort) requires any additional assistance calculated to be provided to the displaced person. Therefore, the amount may exceed \$41,200.

Incidental expenses can include:

- e. Legal and related closing costs
- f. Application and appraisal fees
- g. Credit report
- h. Title insurance
- i. Revenue and documentary stamps and transfer fees.

3.7.4 Increased Mortgage Interest Costs

When a displaced homeowner purchases replacement housing and the interest rate on the new mortgage exceeds the interest rate associated with the displacement dwelling, the Subrecipient shall determine the payment for increased mortgage interest costs, as authorized under 49 CFR 24 401(d).

The payment for increased mortgage interest cost shall be calculated as the amount necessary to reduce the principal balance of the new mortgage to an amount that can be amortized with the same monthly payment for principal and interest as that of the mortgage(s) associated with the displacement dwelling.

In addition to the reduction of the mortgage balance, the differential payments may include other eligible debt service costs associated with obtaining the replacement mortgage, provided such costs are not otherwise paid as incidental expenses. Increased mortgage interest cost payments shall be based only on bona fide mortgages that were valid liens on the displacement dwelling for at least 180 days prior to the initiation of negotiations.

The Subrecipient shall advise the displaced homeowner of the availability of increased mortgage interest cost assistance as soon as sufficient information regarding the existing mortgage(s) and proposed replacement financing is known.

3.7.4.1 Computing Increased Mortgage Interest Costs for Replacement Housing Payments

The requirements for computing increased mortgage interest costs for the displacement home are set forth at 49 CFR 24.401(d). The following standards shall be applied in determining the amount of payment:

1. Unpaid Mortgage Balance

The payment shall be based on the unpaid balance of mortgage(s) on the displacement dwelling; however, in the event the displaced homeowner obtains a replacement mortgage with a principal amount that is less than the unpaid balance used in mortgage buydown calculation, the increased mortgage interest cost payment will be prorated and reduced accordingly. In the case of a home equity loan, the unpaid balance shall be the lesser of:

- a. The balance which existed 180 days prior to the initiation of negotiations, or
- b. The balance on the date of acquisition.

2. Mortgage Term

The payment shall be based on the remaining term of the mortgage(s) on the displacement dwelling or the term of the new mortgage, whichever is shorter.

3. Interest Rate Limitation

The interest rate on the new mortgage used in determining the amount of the payment shall not exceed the prevailing fixed interest rate for conventional mortgages currently charged by mortgage lending institutions in the area in which the replacement dwelling is located.

4. Purchaser's Points and Loans Fees

Purchaser's points and loan origination or assumption fees, but not seller's points, may be included in the increased mortgage interest cost payment to the extent:

- a. The costs are not otherwise paid as incidental expenses;
- b. The costs do not exceed normal rates for similar real estate transactions in the area;
- c. The Subrecipient determines the cost to be necessary; and
- d. The computation of such cost is based on the unpaid mortgage balance on the displacement dwelling, less the amount determined for the reduction of the mortgage balance under this section.

5. Notice and Timing of Payment

The displaced homeowner or the homeowner's designated representative shall be advised of the approximate amount of the increased mortgage interest cost payment and the conditions that must be met to receive the payment as soon as the facts relative to the person's current mortgage(s) are known. The payment shall be made available at or near the time of closing on the replacement dwelling in order to reduce the new mortgage as intended.

3.7.5 Displaced Homeowners with Reverse Mortgages

A Reverse Mortgage, also known as a Home Equity Conversion Mortgage (HECM), is a first mortgage that provides for future payments to the homeowner based upon accumulated equity and which a housing creditor is authorized to make under any Federal or State law. It is a class of generally available to persons 62 years of age or older. Reverse mortgages generally available to homeowners aged sixty-two (62) years or older. Unlike traditional mortgages, reverse mortgages do not require monthly mortgage and interest payment and may be used to access a home's equity for living expenses. The reverse mortgage becomes due when none of the original borrowers live in the home, if taxes or insurance become delinquent, or if the property falls into disrepair.

When a displacement dwelling is encumbered by a reverse mortgage that has been a valid lien for at least one hundred eighty (180) days prior to the initiation of negotiations, the displaced homeowner may be eligible for a replacement housing payment related to the reverse mortgage in accordance with 49 CFR 24.401(e).

3.7.5.1 Computing Reverse Mortgages for Replacement Housing Payments

The replacement housing payment for displaced homeowners with a reverse mortgage shall be computed as the difference between the existing reverse mortgage balance and the minimum dollar amount necessary to obtain a replacement reverse mortgage that provides the same or similar terms as the displacement reverse mortgage. In addition to this amount, the payments may include other eligible debt service costs associated with obtaining the replacement reverse mortgage, provided such cost are not otherwise paid as incidental expenses, Eligibility is limited to reverse mortgages that were valid liens on the displacement dwelling for at least 180 days prior to the initiation of negotiations.

In accordance with URA regulation 49 CFR24.401(e), the following apply:

1. Basis of Payment

The payment shall be based on the difference between the reverse mortgage balance and the minimum principal amount required to qualify for a replacement reverse mortgage with the similar terms. If the displaced homeowner obtains a replacement reverse mortgage on the displacement dwelling; however, in the event the displaced person obtains a replacement reverse mortgage with a smaller principal balance than the balance computed in the buydown determination, the payment will be prorated and reduced accordingly. The balance used shall be the lesser of:

- a. That balance existed 180 days prior to the initiation of negotiations; or
- b. The reverse mortgage balance on the date of acquisition.

2. Interest Rate Limitations

The interest rate on the new reverse mortgage used in determining the amount of eligibility shall not exceed the prevailing rate for reverse mortgages currently charged by mortgage lending institutions for homeowners with similar amounts of equity in their units in the geographic area of the replacement dwelling is located.

3. Purchaser's Points and Loan Fees

Purchaser's points and loan origination fees, but not seller's points, shall be paid to the extent:

- a. The costs are not otherwise paid as incidental expenses;
- b. The costs do not exceed normal rates for similar real estate transactions in the area;
- c. The Agency determines the costs to be necessary; and
- d. The computation of such points and fees is based on the reverse mortgage balance on the displacement dwelling plus any amount necessary to purchase the new reverse mortgage.

4. Notice and Timing of Payment

The displaced homeowner or their designated representative shall be advised of the approximate amount of the reverse mortgage-related replacement housing payment and the conditions for receipt as soon as sufficient information regarding the existing and replacement financing is available. The payment shall be made available at or near the time of closing on the replacement dwelling so that it may be applied toward obtaining the replacement reverse mortgage as intended.



3.7.6 Replacement Housing Assistance - Tenants

Replacement Housing Payment (RHPs) for tenants are intended to assist displaced households with securing affordable rental housing payments for a period of up to forty-two (42) months. For tenants who occupied the displacement dwelling for at least ninety (90) days prior to initiation of negotiation, retail assistance is capped at \$9,570 under 49 CFR 24.402(a). This amount may be exceeded in cases where a household’s calculated 42-month payment is needed to ensure affordable rent exceeds \$9,570 and must fall under requirements for Housing of Last Resort at 49 CFR 24.404. The HUD Form 40058 is used to calculate the amount of Replacement Housing Payments for tenants.

In addition to rental assistance, a displaced tenant is entitled to be reimbursed for reasonable out-of-pocket expenses actually incurred for rental application fees or credit reports when required to secure a replacement dwelling, not to exceed \$1,000, in accordance with 49 CFR 24.301(g)(7).

3.4.6.1 RHP Calculations – Low Income Tenants (at or below 80% AMI)

Household income is a factor in determining the amount of replacement housing assistance. For households at or below eighty percent (80%) of Area Median Income, the RHP is calculated as the difference between:

- The lesser of:
 - Rent and estimated utility costs for the selected replacement unit
 - Rent and estimated utility cost for the most representative comparable
- The lesser of:
 - Thirty percent (30%) of the household’s gross monthly income
 - The monthly rent and average utility costs of the displacement dwelling

Example Renter Formula RHP Calculation for Low-Income Households (≤80% AMI)

	Calculation Factors	Costs
A	Current Rent & Utilities at Displaced Unit	\$1,000
B	30% of Monthly Annual Income	\$ 600
C	Comparable Unit (<i>established by IEDA</i>)	\$1,100
D	Actual Replacement Unit (<i>unit family selected</i>)	\$1,200
E	Lessor of C or D (<i>Comparable Unit or Actual Replacement Unit</i>)	\$1,100
	Minus (Lessor of A or B) (<i>Current Rent & Utilities or 30% Monthly Annual Income</i>)	- (\$600)
	= Multiplied by 42 Months	\$500 x 42
F	Replacement Housing Payment	\$22,500

3.7.6.2 RHP Calculations – Non-Low-Income Tenants (Above 80% AMI)

For households above eighty percent (80%) of Area Median Income, the Replacement housing Payment equals the difference between:

- The lesser of:
 - Rent and estimated utility costs for the selected replacement unit
 - Rent and estimated utility cost for the most representative comparable unit and
- The monthly rent and average utility costs of the displacement dwelling

Example Renter Formula RHP Calculation for Non-Low-Income Households (Above 80% AMI)

	Calculation Factors	Costs
A	Current Rent & Utilities at Displaced Unit	\$1,000
B	///Not Applicable///	///
C	Comparable Unit (<i>established by IEDA</i>)	\$1,100
D	Actual Replacement Unit (<i>unit family selected</i>)	\$1,200
E	Lessor of C or D (<i>Comparable Unit or Actual Replacement Unit</i>) Minus A (<i>Current Rent & Utilities</i>) = Multiplied by 42 Months	\$1,100 -\$1,000 \$100 x 42
F	Replacement Housing Payment	\$4,200

Documentation

Appendix	Document Name
Appendix 28	Claim for Replacement Housing – Homeowner HUD Form 40057 (HUD 1378 – Appendix 13)
Appendix 29	Claim for Replacement Housing – Renter HUD Form 40058 (HUD 1378 – Appendix 14)

3.7.7 Temporary Displacement

This section details the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) requirements applicable when current occupants are not permanently displaced and are expected to re-occupy the property once the project is concluded. Temporary displacement is defined as a situation in which an occupant is required to vacate a dwelling for less than 12 months.

Occupants who will not be able to re-occupy the property within twelve months are considered permanently displaced and must be provided with relocation assistance under the permanent displacement guidelines of the URA. Temporary displacement requirement commonly applies to both residential and non-residential occupants, including business. Temporary displacement commonly occurs during rehabilitation activities of their dwelling, or when public facilities, transportation, capital improvement, or infrastructure project blocks access to properties.

Temporary relocation activities must be planned and executed in a manner that minimizes inconvenience and hardship to affected occupants while ensuring compliance with all applicable URA protections.

Temporary displacement requirements include, but are not limited to:

- Planning for the temporary relocation of occupants;
- Determining when occupants can move back and if persons will be displaced for more than 12 months;
- Providing the proper written notices at the time of move-out and return;
- Informing occupants of relocation benefits available during the move; and
- Providing necessary and appropriate advisory services.

The URA regulations added temporary relocation to the definition of displaced persons in its final rule that went into effect on June 3, 2024. As stated in 49 CFR 24.202(a):

A person who is required to move temporarily, or who is required to move their personal property from the real property, as a direct result of the project, but is not required to relocate permanently. Such a determination shall be made by the Agency in accordance with any requirement, policy, or guidance

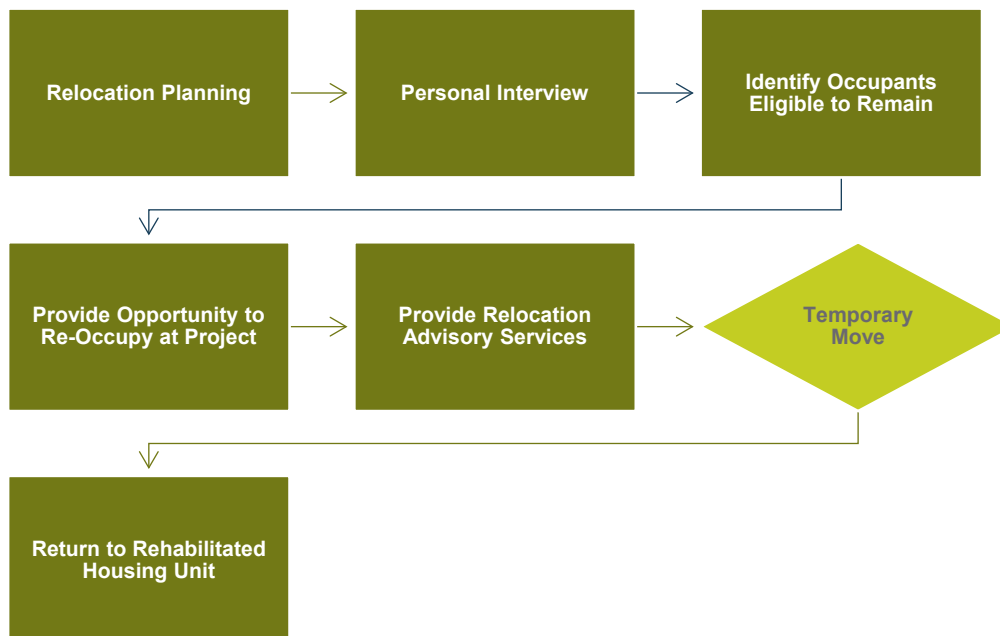
established by the Federal agency funding the project. All benefits for persons required to move temporarily are described in Section 24.202(a).

3.7.7.1 Persons or Businesses Required to Move Temporarily

The URA requirements that must be met for temporarily relocating households or businesses are found at 49 CFR 24.202(a) and include the following:

- a. Appropriate notices must be provided in accordance with 24.203 and appropriate advisory services must be provided in accordance with 24.205.
- b. For persons occupying a dwelling, at least one comparable dwelling, is made available prior to requiring a person to move, except in the case of an emergency move.
- c. Similarly, if a person's business will be shut down due to a project which either requires the occupant to vacate the property or which denies physical access to the property, it may be temporarily relocated and reimbursed for all reasonable out of pocket expenses or must be determined to be permanently displaced at the Agency's option.
- d. Payment is provided for all out-of-pocket expenses incurred in connection with the temporary relocation as the Agency determines to be reasonable and necessary, associated with comparable replacement dwelling, and incidental to selecting a temporary comparable replacement dwelling. Such payments may include the reasonable and necessary costs of temporarily moving personal property from the real property *and returning to the real property*. Storage of personal property may be allowed when approved by the Agency.
- e. A person's temporary move from their dwelling or business for the project may not exceed 12 months. The Agency must contact any person who has temporarily moved from their dwelling or business when that temporary move has lasted for a period beyond 12 months because that person is considered permanently displaced and eligible as a displaced person. The Agency shall offer such eligible persons all required relocation assistance benefits and services for permanently displaced persons. The Agency may not deduct any temporary relocation assistance benefits previously provided when determining permanent relocation benefits eligibility; and
- f. A person who is not lawfully present in the United States and who has been determined to be ineligible for relocation assistance in accordance with 24.208 is not eligible for temporary relocation assistance unless such denial of benefits would create an extremely unusual hardship to a designated family member in accordance with 24.208(h).

3.7.7.2 Relocation Process for Temporarily Displaced Households



3.7.8 Planning for Temporary Relocation

To minimize displacement, the Subrecipient should make every reasonable effort to enable occupants of a property to re-occupy the property after the project is complete. In many of these instances, a plan for the temporary relocation of residents may be necessary. The Relocation Plan (discussed previously) should address the Subrecipient plans for temporarily relocating those who will be able to re-occupy the newly rehabilitated development.

The portion of the Relocation Plan that addresses temporary relocation will:

- a. Identify reasonable steps that will be taken to minimize displacement of persons from their homes as a result of the assisted project.
- b. Identify current occupants that will be able to re-occupy a decent, safe, and sanitary unit at the conclusion of the project, based on the provision of reasonable terms and conditions, and occupancy standards established for the project.
- c. Detail the reasonable temporary relocation that will be necessary to accomplish the proposed project.

When the subrecipient determines who will coordinate project activities and be responsible for relocation, they need to also address temporary relocation, if appropriate. Typically, the subrecipient that provides for the permanent relocation of residents, will also handle the temporary relocation activities.

These roles and responsibilities should be clearly defined in the Relocation Plan. This includes whoever ultimately will be responsible for carrying out the temporary relocation activities (such as the URA Relocation Specialist). Identification of the responsible party, whether it is the subrecipient providing the disaster recovery assistance (CDBG-DR) or the development entity, needs to be clear and incorporated within any written agreement for the project.

The temporary Relocation Plan should detail the terms and conditions of the temporary relocation, along with the occupancy standards that will apply to the housing development upon completion of the project. The URA protects the rights of residents who are temporarily relocated. Once the households who will be temporarily relocated have been identified, the responsible party must issue required notices, interview affected households, identify and communicate the terms and conditions of the temporary move, and provide appropriate advisory services.

3.7.9 Meeting and Consulting with Affected Households

Effective temporary relocation planning requires early and ongoing consultation with affected households. At these meetings, the Agency should gather as much information as it can to understand the needs of the affected households, or to listen to suggestions from the current residents regarding alternatives to the proposed temporary relocation plan, or how the project should proceed. Generally, it is important to minimize the amount of time a household is temporarily relocated, to minimize inconvenience and hardship to the affected household, and to minimize unnecessary costs. These early meetings offer an opportunity to gather information that will help to plan for an effective relocation, and to establish good communication with the affected households.

Consultation and meetings can be accomplished in several ways, including individual meetings, small group discussions, or a “town hall” format. Meeting in a local school or community center can help to accommodate large groups. The approach is to meet with affected should be appropriate and yield the best results to ensure that the rights and benefits of households to be displaced are protected.

3.7.10 Resident Survey

As with a permanent and involuntary relocation plan, a resident survey is an important element when preparing a responsible temporary relocation plan. The survey identifies all occupants of a property that may be affected by a proposed affordable housing project and assesses whether they will be able to remain after the project is complete. The survey assists in planning for temporary moves, identifying the type and number of temporary units needed, establishing relocation schedules, and identifying special household needs.

Survey information may also be useful to identify overcrowded households, who may not have the legal right to be in occupancy.

A resident survey should try to collect the following information:

- a. Type and tenure of the occupant
- b. The number and ages of persons in the household
- c. Lease agreement
- d. Household income
- e. Special housing, accessibility, or service needs

3.7.11 Notices

The URA requires that everyone affected by a Federally financed project receive timely notices and specific information regarding their status and potential eligibility for any assistance and services. For occupants that will be temporarily relocated, the following notices must be provided:

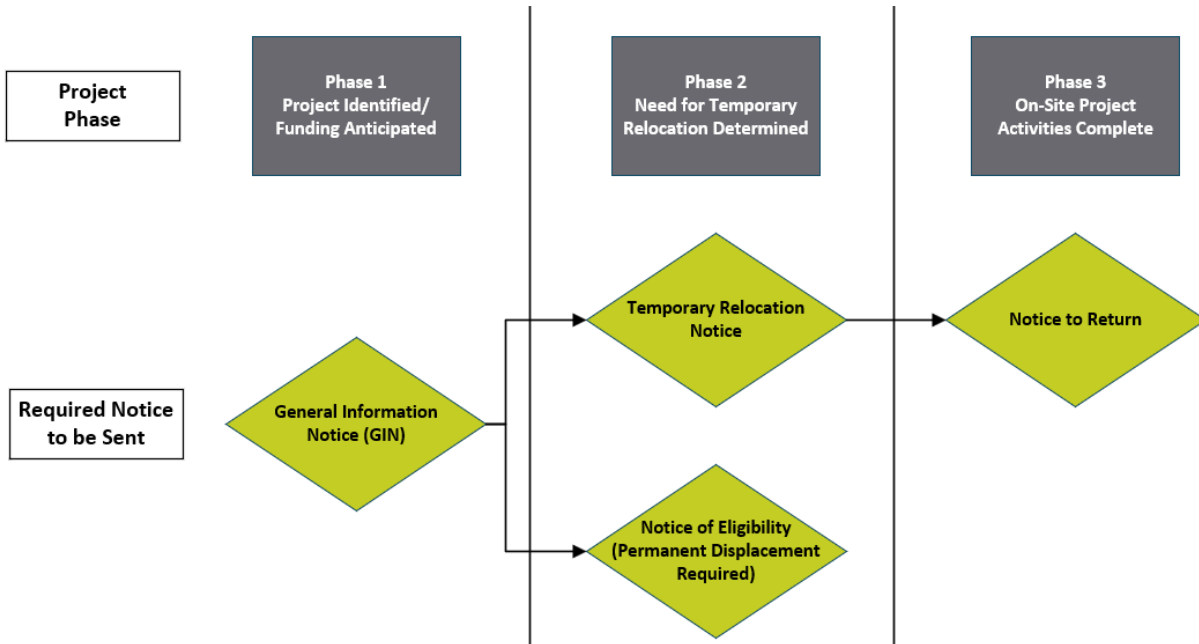
At minimum, temporary relocated households must be provided with the following:

- **General Information Notice (GIN)**, informing the household of the project and the potential need for temporary relocation;
- **Temporary Relocation Notice**, describing the nature and anticipated duration of the temporary move, the availability of comparable temporary housing, and the assistance to be provided;
- **90-day advance written notice of the date of the temporary move**, including the address of the temporary relocation unit;
- **30-day Date Certain Notice**: Informs occupants of the *exact* move date, issued at least 30 days before the move. This notice includes specific details on the occupants' benefits;
- **Offer to re-occupy a decent, safe, and sanitary (DSS) unit** at the completion of the project, under reasonable terms and conditions (affordable);
- **Payment of all reasonable and out-of-pocket expenses** incurred as a direct result of the temporary relocation, including moving cost to move, storage, temporary housing cost (including utilities/deposits), and the cost to moving back to the rehabilitated unit . **Relocation advisory services**, in accordance with 49 CFR 24.205; and
- **Notice to Return**, informing the household when the project is complete and the timeframe for re-occupancy

For planned temporary relocations, the Subrecipient should provide a 90-day information notice before issuing a 30-day date certain notice, unless health or safety emergencies require shorter timing. The determination and rationale for any shortened notice period should be documented in the case file.

The temporary relocation plan should describe how the project will proceed and identify the necessary notices that must be issued. It is allowable to combine certain notices if they are provided in a timely manner and contain the appropriate information. Notices need to be tailored to the specific project and may also require reflecting specific circumstances of the affected households.

3.7.11.1 URA Sequence for Notices – Temporary Relocation



3.7.12 Suitable Comparable Dwellings

When temporary relocation occurs, the Subrecipient must ensure that at least one comparable replacement dwelling is made available to each household prior to requiring the household to move, except in cases of emergency relocation as permitted under 49 CFR 24.204. Temporary relocation units must be decent, safe, and sanitary (DSS) as defined in 49 CFR 24.2(a)(6), and sufficient in bedroom size and number, to accommodate the affected households. The Relocation Plan must identify the number of temporary relocation units required, whether such units are located on-site or off-site, and their general location. Temporary units are not required to be in the immediate neighborhood; however, the Subrecipient must take into consideration the special housing needs of identified households, including accessibility, proximity to employment, schools, transportation, medical services, community facilities, shopping center, to minimize hardship during the temporary relocation.

3.7.13 Occupant Moves

The temporary relocation plan must describe how household items and personal property will be moved for affected occupants. In accordance with the URA, the Subrecipient must pay all reasonable and necessary out-of-pocket expenses incurred as a direct result of the temporary relocation, including moving, storage, and utility connection cost, as applicable.

IEDA should determine whether occupants will hire a mover and be reimbursed for eligible cost, or whether the Agency will directly contract for moving services on behalf of affected households. The temporary relocation plan must clearly identify the method to be used, the responsible party, and how affected households will be notified.

Households required to move temporarily must be provided with reasonable advance written notice of the planned move date and the address of the temporary relocation unit. It is recommended that the project meet its deadlines and ensure timely temporary moves, that the project engages a contract mover and provide adequate advance notice of the actual temporary move date to the affected households.

During the development stage of the project, there is often a need to stage and move residents around. While the actual move date may depend on construction progress or unit availability, the Subrecipient should

generally provide no less than 10 to 14 days' advance notice, unless a shorter timeframe is justified and documented.

Upon completion of the project, temporarily relocated households must be offered the opportunity to re-occupy a decent, safe, and sanitary dwelling unit at original site or project location, under reasonable terms and conditions.

3.7.14 Advisory Services

The Subrecipient must provide appropriate relocation advisory services to all households by temporary relocation, in accordance with 49 CFR 24.205. Advisory services shall include assistance in understanding relocation rights and benefits, coordination of temporary moves, identification of suitable temporary housing, and referrals to community based or non-profit service providers, as needed. The resident survey and interviews may be used to identify specific household needs including accessibility requirements, transportation needs, and language assistance. Community-based and nonprofit organizations can be a valuable resource to providing such services. In some cases, the affected households may want assistance from someone other than the official representative of the project or may need information translated into their native language. The temporary relocation plan should detail these services to be provided and identify the entity responsible for delivering such services.

3.7.15 Determining Households for Temporary Relocation

The Subrecipient or, where applicable, the development entity may make an initial determination regarding which households are expected to temporarily relocate and subsequently re-occupy a unit upon project completion. Where such determinations are made by a development entity, the Subrecipient must retain oversight authority and approve these determinations to ensure compliance with URA requirements, in order to keep consistent with its annual certifications to HUD. In many cases, the determination is straightforward, when, upon completion of the project, the rehabilitated units will remain available, decent, safe, and sanitary (DSS), and sufficient in bedroom size and number to accommodate all current occupants.

While the Agency may intend to provide temporary relocation and allow existing occupants to re-occupy their units after rehabilitation, this may not always be possible. A suitable unit for re-occupancy is one of adequate size and contains an appropriate number of bedrooms to properly house all members of the household. Households that cannot be offered a unit of appropriate bedroom size to accommodate all members of the household would then qualify as permanently displaced, regardless of overcrowded living conditions that existed prior to the project.

It is important to note that temporary relocations that extend beyond 12 months must be classified as being permanently displaced and the agency must then provide full URA relocation benefits to the household, without subtracting any temporary benefits already paid. To be eligible for re-occupancy following rehabilitation, the post-rehabilitation unit must be offered under reasonable terms and conditions, and must be:

- f. Affordable.
- g. Decent, safe, and sanitary (DSS);
- h. Adequate in size and containing the appropriate number of bedrooms for the household;
- i. Available under housing cost terms that the household can reasonably meet.

3.7.16 Rent Impact and Economic Displacement Considerations

The URA does not establish a specific affordability formula or rent-to-income threshold for determining displacement. However, the Subrecipient may consider household income, post-rehabilitation gross rent (base rent plus average monthly utility costs), and other relevant factors to evaluate whether continued occupancy is reasonable.

Many HUD programs, such as HOME Investment Partnership Program, and tenant-based rental assistance programs, use affordability benchmarks (for example 30% of the gross household income) for program

administration purposes. These benchmarks may be considered for contextual analysis only and do not establish a required affordability standard under the URA.

For households whose incomes are above the Section 8 Low-Income Limit, and households at or below the Section 8 Low-Income Limit where Section 8 *Total Tenant Payment* (TTP) applies, the Subrecipient may consider whether post-rehabilitation housing cost would result in a rent burden for occupants at or below the Section 8 Low Income Limit. TTP is the greater of 30% of adjusted income or 10% of gross monthly income. This is to ensure that remaining households in the project are not rent burdened and are not “economically displaced.”

When the current occupant cannot afford to pay the higher rent for the rehabilitated unit, then the household is considered permanently displaced and would be eligible for relocation benefits under the URA.

The following examples are illustrative and are provided to demonstrate how rent impacts may be evaluated as part of the Agency’s broader determination of whether post-rehabilitation occupancy terms are reasonable. These examples do not establish a numeric affordability threshold for URA determinations

Rent Impact Example – No Economic Displacement

In this example, the post-rehabilitation gross rent does not represent a significant increase relative to household income, and the Subrecipient determines that the household can reasonably meet the post-rehabilitation housing costs. The household may be eligible to re-occupy the unit following rehabilitation.

Pre-Rehab	Costs	Post-Rehab	Costs
Pre-rehab Unit Rent	\$575	Post-rehab Unit Rent	\$590
Estimate of Utility Cost	+ \$85	Estimate of Utility Cost	+ \$85
Pre-rehab Unit Gross Rent	\$660	Post-rehab Unit Gross Rent	\$675

Household’s Gross Annual Income \$32,350
 Determine Monthly Income /12
 Multiply by 30% x .30
 30% of Gross Monthly Income = \$809 Affordable Rent

The new gross rent does not exceed 30% of gross income = Family is not rent burdened.

Rent Impact Example – Economic Displacement

In this example, the post-rehabilitation gross rent represents a substantial increase relative to household income. If the Agency determines that the household cannot reasonably meet the post-rehabilitation housing costs under the proposed terms, the household must be treated as permanently displaced and provided relocation benefits in accordance with the URA.

Pre-Rehab	Costs	Post-Rehab	Costs
Pre-rehab Unit Rent	\$575	Post-rehab Unit Rent	\$590
Estimate of Utility Cost	+ \$85	Estimate of Utility Cost	+ \$85
Pre-rehab Unit Gross Rent	\$660	Post-rehab Unit Gross Rent	\$675

Household’s Gross Annual Income \$26,482
 Determine Monthly Income /12
 Multiply by 30% x .30
 30% of Gross Monthly Income = \$662 Affordable Rent

The new gross rent exceeds 30% of gross income = Family is Rent Burdened.

3.7.17 Mitigation of Economic Displacement

To minimize displacement, the Subrecipient may elect to limit post-rehabilitation rents for current occupants or provide additional project subsidies to support continued affordability. This should be done during the underwriting phase of project review and applied consistently. The rents must remain affordable, and all current occupants should be offered a new lease, generally for one year. Any rent increases should be

reasonable and based on market conditions, and a property owner may not set rents at an artificially low level, then subsequently raise the rents dramatically, due to the property improvements.

If mitigation is not feasible, or if mitigation does not result in housing costs that the household can reasonably meet, the household must be considered permanently displaced and provided full relocation assistance under the URA.

3.7.18 Temporary Residential Relocation

Once a household has been determined to be eligible to temporarily relocate and re-occupy a unit upon completion of the proposed project, the Subrecipient must provide the household with all the notices, services, and assistance required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and 49 CFR Part 24.

Households required to move temporarily have the right to appeal any determination made by IEDA, in accordance with the URA and Subpart G of 49 CFR Part 24. Appealable actions include, but are not limited to:

- Eligibility to be considered “displaced”
- Unit offered is not suitable, decent, safe, and sanitary
- Terms and conditions to occupy a unit after the project is complete are not reasonable
- Terms and conditions of the temporary move are unreasonable
- Failure to provide payment for any reasonable out-of-pocket expenses related to the temporary move

Failure to provide **Notice of Non-Displacement**, where required, may result in a household relocating permanently based on incomplete information, if they had not been informed of their ability to reoccupy a unit within the project. In such cases, the household may be determined to be a displaced person under the URA and entitled to full relocation benefits.

Documentation

Appendix	Document Name
Appendix 30	Claim for Temporary Relocation Expenses – HUD Form 40030
Appendix 31	IEDA Temporary Relocation Notice Template
Appendix 32	Move-In Notice (HUD 1378 – Appendix 29)

3.8 Reimbursing Moving Expenses

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) requires that all displaced persons, including person required to move temporarily or permanently, be reimbursed for reasonable and necessary moving and related expenses incurred as a direct result of a Federally assisted project, in accordance with 49 CFR Part 24 Subpart D and CFR 24.202(a). Moving expense entitlements apply to residential households, businesses, farms, and nonprofit organizations determined eligible under the URA.

3.8.1 Payment for Moving and Related Expenses

Eligible displaced persons may choose to receive payment for moving and related expenses either by choosing one (1) of the following options, as applicable:

1. Reimbursement of Actual Reasonable Expenses - supported by paid invoices or receipts; or
2. Fixed Moving Expense and Dislocation Allowance - determined in accordance with the Department of Transportation (DOT) schedule:
https://www.fhwa.dot.gov/real_estate/uniform_act/relocation/moving_cost_schedule.cfm

The Agency must explain both options to the displaced person and document the displaced person’s selection. The Agency may elect to contract directly for moving services on behalf of displaced households when this approach is more efficient or necessary to meet project schedules. In such cases, the displaced

person remains entitled to reimbursement for all other eligible out-of-pocket costs not covered by the Agency-paid move.

3.8.2 Move Options

Personal property as determined by an inventory from a business, farm, or nonprofit organization may be moved by one or a combination of the following methods:

1. Commercial move

Payment based on the lower of two bids or estimates prepared by qualified commercial movers. At the Agency's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate.

2. Self-move

A self-move payment may be based on one or a combination of the following:

- a. The lower of two bids or estimates prepared by a commercial mover or qualified IEDA staff person. At the Agency's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate; or
- b. Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the rates paid by a commercial mover to employees performing the same activity and, equipment rental fees should be based on the actual rental cost of the equipment but not exceed the cost paid by a commercial mover.
- c. A qualified IEDA staff person may develop a move cost finding by estimating and determining the cost of a small uncomplicated nonresidential personal property move of \$5,000 or less, with the written consent of the person. This estimate may include only the cost of moving personal property which does not require disconnect and reconnect and/or specialty moving services necessary for activities including crating, lifting, transportation, and setting of the item in place.

3.8.3 Eligible Moving Costs

Based on the Subrecipient's determination that the expenses are reasonable and necessary, actual moving and related expenses that are eligible for reimbursement include but are not limited to:

- a. Transportation of the displaced person and personal property;
- b. Packing, crating, uncrating, and unpacking of personal property;
- c. Storage of personal property for up to 12 months, unless the Agency determines that a longer storage period is necessary;
- d. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated household appliances, and other personal property;
- e. Insurance for the replacement value of the property in connection with the move and necessary storage;
- f. Replacement value of personal property lost, stolen, or damaged during the move (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft or damage is not reasonably available;
- g. Credit checks.
- h. Utility connection and disconnection charges, including reinstallation of telephone, internet and cable service;
- i. Reasonable application fees and credit checks required to secure replacement housing, not to exceed the limits established in 49 CFR 24.301(g); and
- j. Other costs as determined by the Agency to be reasonable and necessary to complete the move.

For **temporary relocations**, eligible costs also include expenses associated with returning to the original or rehabilitated dwelling.

3.8.4 Ineligible Moving Costs

The following costs are not eligible for reimbursement under URA:

- k. Interest on a loan to cover moving expenses;
- l. Personal injury or property damage claims unrelated to the move;
- m. Any legal fee or other cost incurred to prepare or pursue a relocation claim or for representing the claimant before the Agency.
- n. The cost of moving any structure or other real property improvement in which the displaced person reserved ownership; and
- o. Costs for storage of personal property on real property owned or leased by the displaced person before the initiation of negotiations, unless otherwise approved by the Agency.

3.8.5 Payment Procedures and Documentation

The displaced person must submit a claim for reimbursement within the timeframes established by the Agency and consistent with 49 CFR Part 24. Claims must be supported by adequate documentation, such as invoices, receipts, inventories, and proof of payment.

The Agency must review each claim to determine eligibility, reasonableness, and necessity prior to approval. Payment of eligible moving expenses does not affect a displaced person’s eligibility for other relocation benefits under the URA.

3.8.6 Appeals

Displaced persons have the right to appeal any determination regarding their eligibility for moving expense reimbursement, the amount of payment, or the denial of a claimed expense, in accordance with Subpart G of 49 CFR Part 24. Appeal procedures must be provided in writing and made available to all displaced persons.

Documentation

Appendix	Document Name
Appendix 33	Claim for Moving Expenses - HUD-40054 (HUD 1378 – Appendix 11)

3.9 Section 504 - Accessibility

To comply with Section 504 of the Rehabilitation Act, as implemented by 49 CFR part 24 and HUD’s regulations at 24 CFR part 8, the Agency must take steps to ensure that no displaced person with disabilities is excluded from participating in, denied the benefits of, or subjected to discrimination in the provision of relocation assistance because of the person’s disability.

The steps are as follows:

1. Determining the accessible features of housing from which persons with disabilities will be displaced, as well as any other accessible housing needs (49 CFR 24.205(a)(1)). For public housing and Housing Choice Vouchers this could entail updating section 5 of form HUD-50058, Family Report.
2. Ensuring that communications are effective (24 CFR 8.6) and that facilities for meetings, counseling, and other informational activities are accessible (24 CFR 8.21).
3. Providing reasonable accommodations (e.g., providing transportation assistance to locate comparable housing) at the request of a displaced person who is disabled (24 CFR 8.4) See also Departmental program notices – for example: Notice CPD-05-10 (CDBG), CPD-05-09 (HOME), PIH 2006-13 (public housing and Housing Choice Voucher programs), PIH 2006-38 (NAHASDA), and H 04-19 (Section 202, Section 811, and insured multifamily housing). (Also see 49 CFR 24.205(c))
4. If comparable replacement housing is not available on a timely basis, using replacement housing of last resort (See 49 CFR 24.404)

5. Inspecting replacement housing to ensure that it is decent, safe, and sanitary – e.g., free of barriers to the person’s ingress, egress, adequate in size to accommodate the occupants, and includes other features to meet the accessibility needs of the displaced person with disabilities (49 CFR 24.2(a)(8)(vii))

3.10 Mobile/Manufactured Homes

The State of Iowa defines a “mobile/manufactured home” as a factory-built structure, which is manufactured or factory constructed under the authority of 42 U.S.C. 5403. It is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or foundation or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. Therefore, it must be titled with the Iowa Department of Transportation (IDOT), like titling a vehicle. The legal classification of a manufactured home as real property or personal property shall be determined on a case-by-case basis based on state law, ownership of land, foundation status, and intent, and shall be documented in the project file.

For HUD programs, a manufactured home is defined as “a structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred (300) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such terms shall include any structure which meets all the requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act, provided by Congress in the original 1974 Manufactured Housing Act.”

In 1979 the term “mobile home” was changed to “manufactured home.” For purposes of this regulation, the terms mobile home and manufactured home are synonymous. When assembled, manufactured homes built after 1976 contain no less than three hundred twenty (320) square feet. They may be single or multi-section units when installed.

3.10.1 Applicability of URA for Mobile/Manufactured Homes

The applicability of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) for mobile/manufactured homes is governed by 49 CFR Part 24, Subpart F (Sections 24.501 – 24.503). Subpart F describes the requirements applicable to a person displaced from a mobile or manufactured home and/or from a mobile or manufactured home site who meets the basic eligibility requirements including entitled to relocation assistance and payment in accordance with the URA of 49 CFR Part 24:

The following provisions apply to these cases of displaced persons:

1. **Moving expenses**
Must be paid in accordance with 49 CFR Sections 24.301(g)(1) – (11).
2. **Replacement Housing Payments**
Replacement housing payments shall be provided to the same extent, and subject to the same requirements, as persons displaced from conventional dwellings, in accordance with 49 CFR Sections 24.401 – 24.404, which includes the use of Replacement Housing of Last Resort when necessary.
3. **Partial Acquisition of Mobile Home Park**
When acquisition of a portion of a mobile home park renders the remaining property inadequate for continued operation, and a mobile/manufactured home must be relocated as a direct result of the project, the affected occupant shall be considered to be a displaced person and is entitled to relocation assistance under the URA.

3.10.2 Displaced 90-day Mobile Homeowner

An owner-occupant of a mobile or manufactured home who has owned and occupied the dwelling for at least 90 days immediately prior to the initiation of negotiations and is displaced, may be eligible for a replacement housing payment as a 90-day homeowner-occupant, in accordance with 49 CFR 24.401.

To be eligible, the displaced person must purchase and occupy a decent, safe, and sanitary replacement dwelling within one year of the final payment for the displacement dwelling or the date the agency’s obligation to make a comparable replacement dwelling available is satisfied, unless the agency grants an extension for good cause. The replacement housing payment shall not exceed \$41,200, unless comparable replacement housing cannot be made available within this amount, in which case additional assistance may be provided under the Housing of Last Resort provisions under 49 CFR 24.404. The amount of the replacement housing payment shall be computed in accordance with the applicable provisions of Subpart E, based on the classifications of the mobile home and site under applicable state law.

1. Mobile Home and Site Acquired as Real Property

If the subrecipient acquires the mobile/manufactured home as real property and/or acquires the owned site, the acquisition cost used to compute the price differential payment is the actual amount paid to the owner as just compensation for the acquisition of the mobile home, and/or site, if owned by the displaced mobile homeowner.

2. Mobile Home Considered Personal Property

If the mobile/manufactured home is a personal property and not acquired, the eligible price differential payment for the purchase of a comparable replacement mobile home is the lesser of:

- The displaced owner-occupant’s net cost to purchase a comparable replacement mobile home (*i.e.*, purchase price of the replacement mobile home less trade-in or sale proceeds of the displacement mobile home); or
- The reasonable cost of a comparable mobile or manufactured selected by the Agency, less the estimated salvage or trade-in value of the displacement mobile home from which the person is displaced.

3. No Comparable Replacement Mobile Home Site Available

If a comparable replacement mobile or manufactured home site is not available, the replacement housing price differential shall be computed based on the reasonable cost of a conventional comparable that is decent, safe, and sanitary replacement dwelling.

3.10.3 Displaced 90-day Owner-Occupant from a Leased Mobile Home Site.

When a 90-day owner-occupant owns the mobile or manufactured home but leases the site and is displaced from the site, the displaced person may be eligible to a rental assistance payment computed in accordance with 49 CFR section 24.402.

This rental assistance may be used to:

- Lease a replacement mobile home site;
- Purchase a replacement site;
- Combine with any replacement housing payment attributable to the mobile home, toward the purchase of a replacement mobile or manufactured home and site; or
- Apply toward the purchase or rental of a conventional (*i.e.* single-family) decent, safe, and sanitary replacement dwelling

3.10.4 Owner-Occupant Not Displaced from the Mobile Home

If the Agency determines that a mobile or manufactured home is personal property and may be relocated to a comparable replacement site, but the owner-occupant elects not to relocate the home, the owner-occupant is not eligible for a replacement housing payment for the purchase of a replacement mobile or manufactured

home. However, the owner-occupant remains eligible for moving expenses described above and any replacement housing payment related to the purchase or rental of a comparable site, as applicable.

3.11 Section 104(d) One-for-One Unit Replacement

Meeting the requirements of Section 104(d) is an important planning consideration that must be addressed to ensure that both the project budget has sufficient resources, and the obligation to replace units can be achieved. (See Appendix 34)

The Consolidated Notice (Appendix B of the Federal Register Notice) includes waivers and alternative requirements applicable to the Community Development Block Grant – Disaster Recovery (CDBG-DR) program Pursuant to the Consolidated Notice, the following:

“One-for-one replacement requirements at section 104(d)(2)(A)(i) and (ii) and Section 104(d)(3) of the Housing and Community Development Act as implemented at 24 CFR 42.375, are waived only for owner-occupied lower-income dwelling units that are damaged by the disaster and determined by the grantee to not suitable for rehabilitation.

The section 104(d) one-for-one replacement housing requirements continue to apply occupied and vacant occupiable lower-income dwelling units that are demolished or converted to another use in connection with a CDBG or CDBG-DR assisted activity. This includes all tenant-occupied lower-income dwelling units and vacant occupiable lower-income dwelling units, which remain fully subject to Section 104(d) replacement housing requirements.”

Accordingly, the waiver exempts only disaster-damaged, owner-occupied lower-income dwelling units that meet the grantee’s definition of not suitable for rehabilitation from the one-for-one replacement housing requirements of 24 CFR 42.375. “No other dwelling units are exempt from Section 104(d) requirements unless expressly authorized by HUD through a published Federal Register Notice.”

IEDA adopts 44 CFR 59.1 to define “substantial damage” as damage for which the total cost of any reconstruction, rehabilitation, addition, or other improvement to a structure equals or exceeds 50 percent of the market value of the structure before the damage occurred.

IEDA defines a residential structure as “not suitable for rehabilitation” if any of the following conditions apply:

The structure is declared a total loss;

- Rehabilitation costs exceed 50 percent of the cost of reconstruction; or
- The structure cannot be rehabilitated or reconstructed in place due to legal, environmental, engineering, or permitting constraints, including historic preservation.

The State may provide exceptions to award maximums on a case-by-case basis. Procedures for evaluating such exceptions, including documentation of necessity and cost reasonableness, shall be outlined within applicable program guidelines and maintained in the IEDA 2020 Midwest Derecho CDBG-DR project file.

Documentation

Appendix	Document Name
Appendix 34	IEDA Section 104(d) One-for-One Unit Replacement Plan Template

3.12 Certification of Persons Lawfully Present in the United States

IEDA and its Subrecipients make every effort to assist all persons being displaced due to CDBG and CDBG-DR activities. Restrictions for persons not lawfully present in the United States are governed by 49 CFR 24.208. No determination regarding lawful presence shall be made in a discriminatory manner, and the same standards of review shall be applied consistently to all persons and entities.

3.12.1 Certification Requirements

As a condition of eligibility for relocation payments or relocation advisory assistance each displaced person or entity shall provide a written certification as follows:

a. Individual

An individual shall certify that they are 1) a citizen of the United States, or 2) an alien lawfully present in the United States.

b. Family

In the case of a family, the head of household may certify that they are a 1) citizen, or 2) an alien who is lawfully present in the United States.

c. Unincorporated Business, Farm, or Nonprofit Organization

The principal owner, manager, or operating officer may certify on behalf of all owners that each persons with an ownership interest is 1) a citizen, or 2) an alien who is lawfully present in the United States.

d. Incorporated Business, Farm, or Nonprofit Organization

The entity shall certify that it is authorized to conduct business within the United States.

The certification (see Appendix 15) shall specify the person's status as a citizen or an alien who is lawfully present in the United States. Requirements concerning the certification, in addition to those contained in this section shall be within the discretion of the Federal funding agency and, within those parameters, that of IEDA.

The IEDA and its Subrecipient shall consider the certification provided pursuant to the information above to be valid, unless IEDA or its Subrecipient determines, based on reliable information or documentation, that the certification may be invalid.

Any review by IEDA or its Subrecipient of the certifications provided pursuant to the above information shall be conducted in a nondiscriminatory fashion. IEDA will apply the same standard of review to all such certifications it receives. The standard may be revised periodically as needed.

3.12.2 Invalid Certification Additional Steps

If IEDA, or its Subrecipient, has reason to believe that a person's certification is invalid, including if documentation or other credible evidence does not reasonably appear to be genuine, the following procedures shall be taken prior to making a final eligibility determination for each status type:

a. Aliens Claiming Lawful Presence

If IEDA has reason to believe that the certification is invalid, confirmation of the person's immigration status shall be obtained by using the Systematic Alien Verification for Entitlements (SAVE) program administered by U.S. Citizenship and Immigration Services (USCIS).

b. Person Claiming U.S. Citizenship or Nationality

If IEDA has reason to believe that the certification is invalid, they shall request evidence of United States citizenship or nationality and, if considered necessary, verify the accuracy of such evidence with the issuer or other appropriate source.

3.12.3 Computing Relocation Payments with Ineligible Household Members

When one or more household members are determined to be ineligible due to lack of lawful presence, no relocation payments shall be made on behalf of those ineligible members. However, relocation payments can be made to eligible household members. Relocation assistance for eligible household members shall not be delayed due to verification or determination regarding ineligible household members.

Any payment(s), for which the household would otherwise be eligible to receive, shall be computed based on the number of eligible household members or the ratio of ownership between eligible and ineligible owners.

Sample Relocation Payment Calculation

Household Characteristics	Household of seven includes one person not lawfully present. Calculation of RHP falls under 24.208(c) (alien not lawfully present excluded from maximum RHP calculation)
Current Dwelling	4 bedrooms; Current monthly costs (rent + utilities) = \$1,200/month
Most Comparable Dwelling	3 bedrooms (based on only six lawful occupants); Monthly costs (rent + utilities) = \$1,300/month
RHP Calculation	\$1,300 - \$1,200 = \$100 (monthly cost differential) \$100*42 months = \$4,200 RHP

3.12.4 Restriction on Relocation Payments and Advisory Services

No relocation payments or relocation advisory assistance shall be provided to any person who has not provided the required certification, or who has been determined to be not lawfully present in the United States, **unless** denial of such assistance would result in an exceptional and extremely unusual hardship to a qualifying relative such person's spouse, parent, or child who is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States.

For purposes of this section, "exceptional and extremely unusual hardship" means that denial of relocation payments and advisory assistance would directly result in one or more of the following impacts on a household member who is a U.S citizen or an alien lawfully admitted for permanent residence:

1. A significant and demonstrable adverse impact on health or safety;
2. A significant and demonstrable adverse impact on the continued existence of the family unit; or
3. Any other impact determined by the Agency to be significant and demonstrably adverse.

Documentation

Appendix	Document Name
Appendix 15	IEDA URA Certification of Lawful Presence Template
Appendix 35	IEDA Exceptional and Extremely Unusual Hardship Template

3.13 Staff Certification

All persons, publicly or privately employed, who are directly responsible for URA-related actions, determinations, or decisions, shall execute a written certification (Appendix 36) attesting that:

- a. Their employment or compensation is not contingent upon the level or amount of relocation assistance provided to any individual, family, business, non-profit or farmer;
- b. They have no present or contemplated future direct or indirect personal interest in any property acquired, or in any benefit derived from the property appraised, identified as comparable replacement housing, or used for temporary relocation; and
- c. They have not disclosed the results of any assistance provided under the Uniform Relocation Assistance and Real Property Acquisition Policies Act to any authorized officials of the State of Iowa or the U.S. Department of Housing and Urban Development.

Documentation

Appendix	Document Name
Appendix 36	IEDA URA Relocation Specialist/Program Staff Certification Template

Section 4: Non-Residential Relocation

Under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), businesses, farms, and nonprofit organizations displaced as a direct result of a federally assisted activity are entitled to relocation and advisory services relocation payments in accordance with 49 CFR Part 24.

For purposes of the URA, non-residential displaced persons include:

- a. For-profit businesses engaged in a lawful activity
- b. Non-profit organization, including religious or social service organizations
- c. Farm operation

When a business, farm, or nonprofit organization is displaced, relocation requirements differ from those applicable to residential displacements. Non-residential displacees, such as businesses, are not eligible for replacement housing or rent-differential payments. Instead, eligible businesses, farms, and non-profit organizations are eligible to receive reimbursement for actual reasonable moving and related expenses. Small businesses, farms, and nonprofit organizations may also be eligible for re-establishment expenses, subject to the maximum payment established in 49 CFR 24.304. In lieu of actual moving and related expenses, eligible non-residential displacees may elect to receive a fixed payment in accordance with 49 CFR 24.305.

If a business relocates to a site with higher rent or operating costs than its current location, the URA does not require the Agency to provide financial assistance to offset those increased costs, which differs from the requirements for residential displacement.

In addition, upon issuing a notice to vacate, the URA does not require the agency to provide or guarantee a comparable replacement site for non-residential displacements. Unlike residential displacement requirements, 49 CFR Part 24 imposes no obligation to furnish a comparable business location. However, agencies are required to provide relocation advisory services, including personalized assistance to displaced businesses, farms, and nonprofit organizations in identifying potential replacement locations, and to reimburse eligible expenses incurred in searching for a replacement site, in accordance with 49 CFR §§ 24.205 and 24.301(g)(18).

Business moves can be complex, so it's imperative that Relocation Specialists properly advise business owners and provide adequate advisory services. In many cases, the owner of the real property to be acquired and the business owner are separate parties, but both have specific rights that must be protected.

4.1 Relocation Advisory Services

In accordance with 49 CFR 24.205(c)(2), the Subrecipient or its designated URA Relocation Specialist shall provide advisory services to each displaced business, farm, or nonprofit organization. Advisory services shall include personal contact with each displaced entity and be sufficient to:

- Explain the relocation process
- Review the timeframe or project schedule;
- Describe available relocation payments and eligibility requirements;
- Provide information on the procedures for obtaining payments;
- Assist in identifying potential replacement locations; and
- Minimize hardship associated with the displacement.

Each displaced non-residential occupant shall receive no less than 90 days' written notice prior to the date required to move. The Relocation Specialist will be available during the relocation process to answer questions and assist in relocation efforts.

1.1.1 Interview and Market Study

As an initial step in the relocation process, the Relocation Specialist shall conduct a personal interview with the displaced business owner or operator. The interview shall inform relocation planning processes and assess the potential impacts of displacement.

The interview shall, at minimum, address:

- a. Replacement site requirements and operational needs;
- b. Existing lease terms and contractual obligations;
- c. Anticipated time required to vacate: Planning for permanently and temporarily displaced businesses are reasonably expected to involve complex or lengthy moving processes;
- d. Difficulty in locating replacement sites: When an adequate supply of replacement business sites is expected to be limited, the Subrecipient shall evaluate the feasibility and impacts of displacing or temporarily moving the businesses should be considered and addressed;
- e. Financial capacity to relocate: Small businesses with limited financial resources and/or few alternative relocation sites should include an analysis of business moving problems;
- f. The need for advanced or specialized payments.

4.1.2 Advisory Services Components

Consistent with 49 CFR 24.205(c)(2), advisory services provided to displaced businesses shall include:

- a. Determination of the relocation needs and preferences of each displaced business, farm and nonprofit organization;
- b. Explanation of relocation payments, eligibility requirements, and the claim procedures;
- c. Determination of the need for outside specialists, in accordance with 49 CFR 24.301(g)(13), sch will be required to assist in planning the move, assistance in the actual move, and in the disconnection and reinstallation of machinery and/or other personal property;
- d. For businesses, an identification and resolution of commercial property and/or realty issues. Every effort must be made to identify and resolve these issues prior to, or at the time of, the appraisal of the property;
- e. An estimate of the time required for the business to vacate the site;
- f. Assistance with locating a replacement property and conducting market searches;
- g. An identification of any advance relocation payments required for the move, and the Agency's legal capacity to provide them.

4.1.3 Certification of Lawful Business Presence

Under 49 CFR 24.208, certification of lawful presence is required solely as a condition of eligibility for relocation payments or relocation advisory assistance. The regulation does not apply to just compensation or acquisition payments:

- In the case of unincorporated businesses, farms, or nonprofit organizations, Section 24.208(a)-(b) ties eligibility for relocation assistance to lawful presence for:
 - Each owner is a citizen or an alien who is lawfully present in the United States. The certification may be made by the principal owner, manager, or operating officer on behalf of other persons with an ownership interest.
- In the case of incorporated businesses, farms, or nonprofit organizations, HUD's implementation of Section 24.208, rests on presence being satisfied by lawful authorization to operate:
 - The corporation is authorized to conduct business within the United States.
 - Agencies must accept the certification as valid unless there is reason to believe it is invalid, and any review must be conducted in a nondiscriminatory manner, in accordance with 49 CFR 24.208(d)-(f).

No relocation payments or relocation advisory assistance shall be provided to an entity who has not provided the certification described above, or who has been determined to be not lawfully present in the United States,

unless such entity can demonstrate to the Agency's satisfaction that the denial of relocation assistance will result in an exceptional and extremely unusual hardship.

4.1.4 Relocation Assistance Notification

At or promptly after Initiation of Negotiations for an acquisition that will displace a business, farm, or nonprofit organization, the Agency will issue a Notice of Eligibility that confirms URA eligibility and effective dates, and provides a concise summary of available non-residential benefits, including: payment for actual, reasonable, and necessary moving and related expenses (49 CFR 24.301); reestablishment expenses for small businesses, farms, or nonprofits (up to \$33,200) (49 CFR 24.304); and the option to elect the fixed payment in lieu of actual costs (up to \$53,200) when eligibility criteria are met (49 CFR §24.305). The Agency will also provide advisory services and referrals to potential replacement locations, including reimbursement of site search expenses, consistent with §24.301(g)(18). The displaced entity's signature acknowledging receipt of the notice package is requested and documented in the case file.

4.2 Notices

When a business is to be displaced, it is to be provided proper and timely written notice regarding the nature and extent of the project. Specifically tailored notices must include the following:

- a. General Information Notice (GIN);
- b. Notice of Eligibility for Relocation Assistance; and
- c. 90-Day Written Notice

In addition to notifying a business of its rights and entitlement to benefits, the GIN should describe the obligations of the business owner to assist and to be eligible to receive relocation assistance and advisory services. The obligations of the business include:

- a. Providing access for inspections to current and replacement sites.
- b. Providing notice of date and time of move.
- c. Providing an inventory of properties to be moved or sold.

In most cases, the Subrecipient or authorized representative should be present at the time of the move to ensure that it occurs and is done at reasonable cost, secure a detailed inventory of personal property moved, and provide any other technical assistance necessary.

4.3 Move Options

Personal property, as determined by an inventory from a business, farm, or nonprofit organization may be moved by one or a combination of the following methods:

1. Commercial move

Payment will be based on the lower of two bids or estimates, to be prepared by qualified commercial movers. At the Agency's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate.

2. Self-move

A self-move payment may be based on one or a combination of the following:

- a. The lower of two bids or estimates prepared by a commercial mover or qualified IEDA staff person. At the Agency's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate; or
- b. Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the rates paid by a commercial mover to employees performing the same activity, and equipment rental fees should be based on the actual rental cost of the equipment, not exceed the cost paid by a commercial mover.

- c. A qualified IEDA staff person may develop a move cost finding by estimating and determining the cost of a small uncomplicated nonresidential personal property move of \$5,000 or less, with the written consent of the business. This estimate may include only the cost of moving personal property, which does not require disconnect and reconnect and/or specialty moving services necessary for activities including crating, lifting, transportation, and setting of the item in place.

4.4 Eligible Moving and Related Expenses

Eligible expenses for moves of a business, farm, or nonprofit organization are those expenses described in 49 CFR 24.301(g) and 24.303, including but not limited to:

- Transportation of the displaced person and personal property. Transportation costs for a distance beyond 50 miles are not eligible, unless IEDA determines that relocation beyond 50 miles is justified;
- Packing, crating, unpacking, and uncrating of the personal property;
- Disconnecting, dismantling, removing, reassembling, and reinstalling relocated household appliances and other personal property;
 - For businesses, farms, or nonprofit organizations:
 - Includes machinery, equipment, substitute personal property, and connections to utilities available within the building;
 - Includes modifications to the personal property, including those mandated by Federal, State, or local law, code, or ordinance, necessary to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site, and
 - Modifications necessary to adapt the utilities at the replacement site to the personal property
- IEDA may determine that the storage of personal property is a reasonable and necessary moving expense for a displaced person or person required to move temporarily under this part;
 - IEDA may approve a payment for storage when the process of relocating from the acquired site to the replacement site is delayed for reasons beyond the control of the displaced person. Storage may not be longer than 12 months, starting at the date of vacation from the acquired site and ending when the replacement site becomes available.
 - IEDA may approve storage for more than 12 months in unusual instances as justified, documented, and approved by the Agency;
- Insurance for the replacement value of the property in connection with the move and necessary storage;
- The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft, or damage is not reasonably available;
- A displaced tenant is entitled to reasonable reimbursement, as determined by the Agency, for actual expenses not to exceed \$1,000, incurred for rental replacement dwelling application fees or credit reports required to lease a replacement dwelling;
- Any actual, reasonable, or necessary costs of a license, permit, fee, or certification required of the displaced person to operate a business, farm, or nonprofit at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, fees, or certification;

- Professional services as the Agency determines to be actual, reasonable, and necessary for:
 - Planning the move of the personal property;
 - Moving the personal property; and
 - Installing the relocated personal property at the replacement location.
- Re-lettering signs, replacing stationery on hand at the time of displacement or temporary move, and making reasonable and necessary updates to other media that are made obsolete as a result of the move.
- Actual direct loss of tangible personal property, incurred as a result of moving or discontinuing the business or farm operation. The payment shall consist of:
 - If the item is currently in use, the lesser of:
 - The estimated cost to move the item up to 50 miles and reinstall; or
 - The fair market value in place of the item, as is for continued use, less the proceeds from its sale. To be eligible for payment, the claimant must make a good faith effort to sell the personal property, unless the Agency determines that such effort is not necessary.
 - If the item is not currently in use:
 - The estimated cost of moving the item 50 miles, as is.
 - When payment for property loss is claimed for goods held for sale, the fair market value shall be based on the cost of the goods to the business, not the potential selling prices.
- The reasonable cost incurred in attempting to sell an item that is not to be relocated.
- If an item of personal property, which is used as part of a business or farm operation is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, the displaced person is entitled to payment of the lesser of:
 - The cost of the substitute item, including installation costs of the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or
 - The estimated cost of moving and reinstalling the replaced item but with no allowance for storage. At the Agency's discretion, the estimated cost for a low cost or uncomplicated move may be based on a single bid or estimate.

4.4.1 Replacement Location Search Expenses

According to 49 CFR 24.301(g)(18), a business or farm operation is entitled to reimbursement for search expenses, not to exceed \$5,000, as IEDA determines to be reasonable, which are incurred in searching for a replacement location, including:

- Transportation;
- Meals and lodging away from home;
- Time spent searching, based on reasonable salary or earnings;
- Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such sites;
- Time spent in obtaining permits and attending zoning hearings; and
- Expenses negotiating the purchase of a replacement site based on a reasonable salary or fee, including actual, reasonable, and necessary attorney's fees.

Alternatively, the Federal funding agency may, on a program wide or project basis, allow a one-time payment of \$1,000 for search expenses, with minimal or no documentation as an alternative payment method to the above section.

The following expenses (covered in 24.303) may be paid in addition to those listed above (covered by 24.301) for moving personal property. These additional expenses shall be provided if IEDA determines that they are actual, reasonable, and necessary:

- Connection to available utilities from the replacement site's property line to improvements at the replacement site.
- Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including, but not limited to, soil testing or feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). At the discretion of the Agency a reasonable pre-approved hourly rate may be established.
- Impact fees and one-time assessments for anticipated heavy utility usage, as determined necessary by the Agency.

4.5 Exclusions on Moving and Related Expenses

According to 49 CFR 24.301(h), non-residential displaced persons (business, etc.) are not entitled to the following non-exhaustive list of payments:

- The cost of moving any structure or other real property improvement in which the displaced person reserved ownership;
- Interest on a loan to cover moving expenses;
- Loss of goodwill;
- Loss of profits;
- Loss of trained employees;
- Any additional operating expenses of a business or farm operation incurred because of operating in a new location except as eligible under re-establishment. See Section 4.7 of this document;
- Personal injury;
- Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before the Agency;
- Expenses for searching for a temporary or replacement dwelling which include costs for mileage, meals, lodging, time and professional real estate broker or attorney's fees;
- Physical changes to the real property at the temporary or replacement location of a business or farm operation;
- Costs for storage of personal property on real property already owned or leased by the displaced person or person to be moved temporarily; and
- Refundable security and utility deposits.

4.6 Relocation Benefit Amounts

4.6.1 Fixed Payment in Lieu of Actual of Moving Expenses

A displaced business may be eligible to choose a fixed payment, in lieu of the payments for actual moving and related expenses, as well as actual reasonable re-establishment expenses. Such fixed payment, except for payment to a nonprofit organization, shall equal the average annual net earnings of the business, but not less than \$1,000 or more than \$53,200. Eligibility and calculation methodologies shall follow 49 CFR 24.304 and Part 24 Subpart D. A displaced business is eligible for the payment if IEDA determines that all the following conditions are met:

1. The business owns or rents personal property which must be moved in as a result of the displacement, for which an expense would otherwise be incurred, and the business vacates or relocates from its displacement site;
2. The business cannot be relocated without a substantial loss of its existing patronage, including clientele or net earnings. A business is presumed to meet this requirement unless IEDA determines that it will not suffer a substantial loss of its existing patronage;
3. The business is not part of a commercial enterprise having more than three other entities which are not being acquired by IEDA, and which are under the same ownership and engaged in the same or similar business activities;

4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others;
5. The business is not operated at the displacement site solely for the purpose of renting the site to others; and
6. The business contributed materially to the income of the displaced person during the two taxable years immediately preceding displacement.

4.6.2 Determining the Number of Businesses to be Displaced

In determining whether two or more displaced legal entities constitute a single business (entitled to only one fixed payment), the Agency shall consider all pertinent factors, including the extent to which:

1. The same premises and equipment are shared;
2. Substantially identical or interrelated business functions are carried out and business and financial affairs are commingled;
3. The entities are held out to the public, and to those customarily dealing with them, as one business; and
4. The same person or closely related persons owns, controls, or manages the affairs of the entities.

4.6.3 Farm Operation

A displaced farm operation may choose fixed payments, in lieu of the payments for actual moving related expenses and actual reasonable re-establishment expenses, in an amount equal to its average annual net earnings, as computed in accordance 49 CFR Section 4.6.5 of this document. The payment amount is to be not less than \$1,000 or more than \$53,200. In the event of only partial acquisition of land associated with a farm operation, the fixed payment shall be made only if the Agency determines that:

1. The acquisition of part of the land caused the operator to be displaced from the farm operation on the remaining land; or
2. The partial acquisition caused a substantial change in the nature of the farm operation.

4.6.4 Nonprofit Organization

A displaced nonprofit organization may choose a fixed payment of \$1,000 to \$53,200, in lieu of the payments for actual move related expenses and actual reasonable re-establishment expenses, if IEDA determines that it cannot be relocated without a substantial loss of existing patronage (membership or clientele).

A nonprofit organization is assumed to meet this requirement, unless IEDA demonstrates otherwise. Any payment in excess of \$1,000 must be supported with financial statements for the two 12-month periods immediately preceding the acquisition. The fixed payment for a nonprofit organization shall be calculated as the average of those two years of annual gross revenue, less administrative expenses.

4.6.5 Average Annual Net Earnings of a Business or Farm Operation

The average annual net earnings of a business or farm operation are one-half of its net earnings before Federal, State, and local income taxes over the two taxable years immediately prior to the taxable year in which the displacement occurs. If the business or farm was not in operation for the full two taxable years prior to displacement, net earnings shall be based on the actual period of operation at the displacement site during the two taxable years prior to displacement, projected to an annual rate.

Average annual net earnings may be based upon a different period of time, when IEDA determines it to be more equitable. Net earnings include any compensation obtained from the business or farm operation by its owner, the owner's spouse, and dependents. The displaced person shall furnish the Agency proof of net earnings through income tax returns, certified financial statements, or other reasonable evidence, which the Agency determines is satisfactory.

4.7 Reestablishment Expenses

In addition to the payments available for moving costs and related expenses, a small business, farm, or nonprofit displaced by a federally assisted project may be eligible to receive re-establishment expenses, not to exceed \$33,200, for actual, reasonable, and necessary cost incurred in relocating and reestablishing the operations of small business, farm, or nonprofit organization at a replacement site, in accordance with 49 CFR 24.304. Reestablishment expenses are intended to assist displaced businesses in resuming operations and do not constitute compensation for loss of goodwill, profits, or future earnings.

4.7.1 Eligible Reestablishment Expenses

Re-establishment expenses must be reasonable and necessary, as determined by the Subrecipient and may include, but are not limited to, the following:

1. **Repairs or improvements** to the replacement real property required by Federal, State, or local law, code, or ordinance;
2. **Modifications** to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business;
3. **Construction and installation costs for exterior signage** to advertise the business;
4. **Redecoration or replacement of soiled or worn surfaces** at the replacement site, such as paint, paneling, or carpeting;
5. **Advertisement of replacement location;**
6. **Estimated increased costs of operation during the first two (2) years** at the replacement site for such items as:
 - a. Lease or rental charges;
 - b. Personal or real property taxes;
 - c. Insurance premiums;
 - d. Utility charges, excluding impact fees;
 - e. Other items that the Agency considers essential to the re-establishment of the business.

4.7.2 Ineligible Reestablishment Expenses.

The following is a non-exhaustive list of re-establishment expenditures that do not qualify as being reasonable, necessary, or otherwise eligible:

1. Purchase of capital assets, such as office furniture, filing cabinets, machinery, or trade fixtures;
2. Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation;
3. Interest on money borrowed to make the move or purchase the replacement property.;
4. Payment to a part-time business in the home which does not contribute materially to the household income;
5. Construction costs for a new building at the business replacement site, or costs to construct, reconstruct or rehabilitate an existing building;

4.8 Relocation Claims

To receive reimbursement payments for eligible relocation expenses, including re-establishment costs, each displaced business must submit a completed claim form with supporting documentation to determine whether the request is reasonable and necessary. Documentation is very important, such as paid invoices, receipts, and photos. The submission of a claim does not guarantee reimbursement. Reimbursement depends on many factors including:

1. The expense is eligible under applicable Federal and State laws, codes, and policies.
2. The claim for reimbursement of costs incurred is actual, reasonable, and necessary.
3. Adequate documentation is provided to substantiate the claim, for example: business tax record, paid invoices/receipts, photographic documentation.

Business owners have two (2) years, from the date to vacate from the displacement site, to file claims for reimbursement of relocation benefits. Legal fees are generally ineligible for reimbursement in the relocation program.

Documentation

Appendix	Document Name
Appendix 12	Site Occupancy Record - Non-Residential (HUD 1378 – Appendix 9)
Appendix 37	Claim Moving Expenses - Business (HUD 1378 – Appendix 16)
Appendix 38	Claim Payment in Lieu Actual Moving (HUD 1378 – Appendix 17)

Section 5: Appeals

When a household, person, or business believes they have not been accorded to all protected rights and protections under the URA, they must have an avenue to appeal and seek review of how their case was handled. The displacing agency must establish an appeal process, and that process should be described in the formal relocation plan. It should also be made public and provided in writing to each affected household, person, or business.

An appeal should be submitted in writing and filed with the displacing agency within 60 days of the contested determination or action. The appeal process should establish the opportunity for the affected household, person, or business to be heard by a person other than the one who made the decision or determination being appealed. This process should be established in accordance with local standards and state law pertaining to administrative hearing procedures.

In the case of CDBG-DR funded projects, appeals may be filed with the Team Lead for the CDBG-DR program at the Iowa Economic Development Authority.

Actions that may be appealed include:

- a. Determination as a “displaced person”;
- b. The amount or type of relocation benefit provided;
- c. The comparable housing unit offered;
- d. Failure to inspect replacement unit in a timely manner; and
- e. Failure to meet time deadlines for filing a claim for relocation benefits.

A household, person, or business has the right to be represented, to review pertinent records, and to receive a prompt, written decision on the matter appealed. In most cases, a household, person, or business that is dissatisfied may also submit a written appeal request to the local HUD Field Office to review the decision. Notwithstanding the appeal process, a household, person, or business is not precluded nor limited in seeking judicial review once all administrative remedies have been exhausted.

Section 6: Recordkeeping

This section discusses the specific record keeping requirements that pertain to HUD-assisted relocation activities. IEDA and its subrecipients must maintain complete and accurate records documenting compliance with URA requirements for all HUD-assisted including CBDG-DR funds for relocation activities. The Agency must keep detailed records to demonstrate that required procedures were followed and that affected persons received all required notices, benefits, and services, according to program rules and regulations.

Record Retention Period

All relocation records must be kept for at least five years past the latest of the following events:

- a. The last payment for relocation and acquisition for the project has been made;
- b. The date the project was completed; or
- c. The date by which all issues resulting from litigation, negotiation, audit, or other actions (e.g., civil rights compliance) have been fully resolved.

This section discusses the specific record keeping requirements that pertain to HUD-assisted relocation activities.

6.1 Records to be Retained for Displaced Households and Entities

A separate case file must be maintained for each displaced household (or business entity). At a minimum, each file must include the following items:

- a. **Personal Identification Information**
 - o Name;
 - o Address;
 - o Date of initial occupancy.
- b. **Residential Tenant Files (as applicable)**
 - o Age
 - o Sex
 - o Racial or ethnic group classification;
 - o Presence of disability in the household;
 - o Household income and assets;
 - o Monthly rent and estimated average monthly utility cost for the displacement dwelling
- c. **Homeowners Files**
 - o Agency’s acquisition cost of the property.
- d. **Non-residential Files**
 - o Type of enterprise (business);
 - o Minority-owned business status (where required for reporting).
- e. **Required Documentation in All Files**

In all cases, whether temporary relocation or permanent displacement, each file must contain documentation that the person received timely written notice of the following:

 - o General Information Notice (GIN)
 - General description of the relocation benefits, and procedures to obtain payments
 - Information concerning advisory services for which the person may be eligible, including eligibility conditions
 - o For residential occupants, assistance to relocate to a comparable dwelling unit:
 - Notice of Eligibility for relocation assistance (NOE)

- For those displaced from a dwelling, the specific comparable replacement dwelling and the related cost to be used to establish the upper limit of the replacement housing payment (RAP/RHP calculation)
 - Includes:
 - Address of actual replacement property
 - Rent and utility cost, or sale price
 - Date of relocation
 - Whether the replacement unit is located in an area of minority concentration
 - A copy of replacement dwelling inspection report showing both condition of unit and the date of inspection
- 90-day written notice
- Advisory services
 - Dates of contacts
 - Services provided
 - Referrals to replacement properties
 - Date of referral
 - Date of availability
 - Reason(s) person declined referral
 - Evidence of referrals to comparable replacement dwelling(s) and suitable housing that is consistent with the grantee's responsibility to affirmatively further fair housing
 - Rent and utility cost, or sale price (if residential)
- Copies of assistance payments:
 - Approved claim form and related documentation
 - Evidence that the person received payment
 - If applicable, evidence that the person received Section 8 or HOME Tenant-Based Rental Assistance
 - Copies of any appeals or complaints filed and the grantee's response

6.2 Records for Valuation

The establishment and use of clear and consistent standards for awarding compensation for displacement and property loss are key to meeting the URA's mandate to "provide for uniform and equitable treatment" of displaced persons and "promote confidence in Federal land acquisition practices." The use of appraisals is an important element of this process. Ensuring the public's faith in appraisals developed for URA purposes is a high priority for HUD and the Federal Government.

To this end, HUD has developed strict rules governing the use of appraisals for the valuation of property and the documentation that serves as evidence that these rules have been followed.

In general, agencies are encouraged, but not required, to obtain at least two appraisals for high value properties and properties requiring a complicated valuation process. In such cases, the additional appraisals are used to serve as independent and objective confirmation of the validity of the valuation reached. HUD requires that, at a minimum, a detailed appraisal shall contain the following items (see Appendices 4 and 5):

- a. A statement describing the purpose and/or function of the appraisal, a definition of the estate being appraised, and a statement of the assumptions and limiting conditions affecting the appraisal.
- b. An adequate description of the physical characteristics of the property being appraised (and, in the case of a partial acquisition, an adequate description of the remaining property), a statement of the known and observed encumbrances, if any, title information, location, zoning, present use, an analysis of highest and best use, and at least a 5-year sales history of the property.
- c. All relevant and reliable approaches to value consistent with commonly accepted professional appraisal practices. When sufficient and reliable market sales data is available to support the fair market value for the specific appraisal assignment encountered, the Agency may require only the market value for the specific appraisal approach. If more than one approach is used, there shall be an

analysis and reconciliation of approaches to value that are sufficient to support the appraiser’s opinion of value.

- d. A description of comparable sales, including a description of all relevant physical, legal, and economic factors such as parties to the transaction, source and method of financing, and verification by a party involved in the transaction.
- e. A statement of the value of the real property to be acquired and, for a partial acquisition, a statement of the value of the damages and benefits, if any, to the remaining real property, where appropriate.
- f. The effective date of valuation, date of appraisal, signature, and certification of the appraiser.

In cases where the purchase price for the property exceeds the amount offered, a written justification explaining the basis for the settlement must be included in the Agency’s case files.

6.3 Records for Real Property Acquisition

For each HUD-assisted project involving real property acquisition, grantees are required to keep records documenting that the acquisition process followed URA policies and requirements. For each project, files must include a list identifying all parcels acquired for the project. Such a list may be maintained in a suitable computer-generated format that also indicates, for project management purposes, progress made in carrying out the acquisition program. In addition, a separate file must be maintained for each parcel acquired. At a minimum, each property file must include:

- a. Identification of the property and property owner(s);
- b. Evidence that the owner was informed on a timely basis about the acquisition and his or her rights;
- c. A copy of each appraisal report (discussed above), including review appraiser’s report, and evidence that the owner was invited to accompany each appraiser on appraiser’s inspection of the property;
- d. A copy of the written purchase offer and a summary statement of the basis for the determination of just compensation, and date of delivery to the owner;
- e. A copy of the purchase contract and documents conveying the property;
- f. A copy of the closing statement identifying identical purchases, and evidence that the owner received all net proceeds due from the sale;
- g. A copy of any appeal or complaint filed and the Agency’s response.

6.4 Confidentiality of Records

It is the responsibility of the grantee to safeguard the confidentiality of the information kept in files maintained for URA record keeping purposes. These records are not to be made available as public information, unless required by applicable law. Only authorized staff of the grantee or HUD shall have access to them.

However, upon written request of the affected person, the grantee shall give the person or the person’s designated representative the opportunity to inspect and copy all pertinent records, EXCEPT material that the grantee determines should not be disclosed to the person for reasons of confidentiality.

Documentation

Appendix	Document Name
Appendix 39	Residential Relocation Management Report (HUD 1378 – Appendix 21)
Appendix 40	Non-Residential Relocation Management Report (HUD 1378 – Appendix 22)
Appendix 41	Comparison Chart Voluntary vs. Involuntary Acquisition (HUD 1378 – Appendix 23)
Appendix 42	Acquisition Checklist (HUD 1378 – Appendix 24)
Appendix 43	HUD Monitoring Checklist – Acquisition

Section 7: Appendix List

Appendix	Supporting Documentation	Samples of Documents to Include
Appendix 01	IEDA URA Applicability Screening Form	
Appendix 02	<u>HUD Guideform Relocation Plan</u>	
Appendix 03	IEDA Voluntary Acquisition (Alternative Valuation)	
Appendix 04	<u>HUD Appraisal Scope of Work</u>	
Appendix 05	<u>Appraisal Contract (HUD 1378 - Appendix 20)</u>	
Appendix 06	<u>Notice to Owner – Voluntary (HUD 1378 – Appendix 31)</u>	
Appendix 07	<u>Notice to Owner – Voluntary (HUD 1378 – Appendix 32)</u>	
Appendix 08	Notice of Intent – Involuntary (HUD 1378 – Appendix 30) IEDA Involuntary Acquisition Guideform	
Appendix 09	IEDA Written Offer of Just Compensation Template	
Appendix 10	<u>HUD 1 Settlement Statement</u>	
Appendix 11	<u>Site Occupancy Record – Residential (HUD 1378 - Appendix 8)</u>	
Appendix 12	<u>Site Occupancy Record – Non- Residential (HUD 1378 - Appendix 9)</u>	
Appendix 13	IEDA Resident/Occupant Interview Form	
Appendix 14	IEDA Income Certification (Program Form)	
Appendix 15	IEDA Certification – Legal Status (Program Form)	
Appendix 16	<u>HUD Brochure - 1041 - CPD "When an Agency Acquires a Property"</u>	
Appendix 17	<u>HUD Brochure – 1042 – CPD "Relocation Assistance When Tenants Displaced from Their Homes"</u>	
Appendix 18	<u>HUD Brochure – 1044 – CPD "Relocation Assistance to Displaced Homeowner Occupants"</u>	
Appendix 19	Method/Manner of Notice Delivery	X
Appendix 20	General Information Notice: > <u>Tenant Not-Displaced (HUD 1378 – Appendix 2)</u> > <u>Business Not-Displaced (HUD 1378 – Appendix 2a)</u> > <u>Tenant Displacement (HUD 1378 – Appendix 3)</u> > <u>Business Displacement (HUD 1378 – Appendix 3a)</u> > <u>HUD Brochure (HUD-1043) – Relocation Assistance to Displaced Businesses, Non-profit Organizations and Farms</u>	
Appendix 21	<u>Notice of Non-Displacement – Residential Tenant (HUD 1378 - Appendix 4)</u>	
Appendix 22	Notice of Eligibility for Relocation Assistance: > <u>Homeowner (HUD 1378 – Appendix 5)</u> > <u>Residential Tenant (HUD 1378 – Appendix 6)</u> > <u>Non-Residential (HUD 1378 – Appendix 7)</u>	
Appendix 23	IEDA 90 Move Notice Template	
Appendix 24	IEDA Combined NOE/90 Day Move Notice Template	
Appendix 25	<u>Record of Advisory Assistance/Case Log (HUD 1378 - Appendix 10)</u>	
Appendix 26	IEDA Last Resort Housing Memorandum Template	
Appendix 27	<u>Selection Comparable Replacement Dwelling (HUD 1378 - Appendix 12)</u>	
Appendix 28	<u>Claim for Replacement Housing – Homeowner HUD Form 40057 (HUD 1378 - Appendix 13)</u>	
Appendix 29	<u>Claim for Replacement Housing – Renter HUD Form 40058 (HUD 1378 - Appendix 14)</u>	

Appendix	Supporting Documentation	Samples of Documents to Include
Appendix 30	<u>Claim for Temporary Relocation Expenses – HUD Form 40030 (HUD 1378 – Appendix 15)</u>	
Appendix 31	IEDA Temporary Relocation Notice	
Appendix 32	<u>Move-In Notice (HUD 1378 – Appendix 29)</u>	
Appendix 33	<u>Claim for Moving Expenses - HUD-40054 (HUD 1378 - Appendix 11)</u>	
Appendix 34	IEDA Section 104(d) One-for-One Unit Replacement Plan Template	X
Appendix 35	Exceptional Hardship Certification Template	
Appendix 36	IEDA URA Relocation Specialist/Program Staff Certification	
Appendix 37	<u>Claim Moving Expenses - Business (HUD 1378 – Appendix 16)</u>	
Appendix 38	<u>Claim Payment in Lieu Actual Moving (HUD 1378 – Appendix 17)</u>	
Appendix 39	<u>Residential Relocation Management Report (HUD 1378 - Appendix 21)</u>	
Appendix 40	<u>Non-Residential Relocation Management Report (HUD 1378 - Appendix 22)</u>	
Appendix 41	<u>Comparison Chart Voluntary vs. Involuntary Acquisition (HUD 1378 – Appendix 23)</u>	
Appendix 42	<u>Acquisition Checklist (HUD 1378 – Appendix 24)</u>	
Appendix 43	<u>HUD Monitoring Checklist - Acquisition</u>	