

*Residential Anti-Displacement  
and Relocation Assistance*

## Residential Anti-Displacement and Relocation Assistance

This Residential Anti displacement and Relocation Assistance Plan for the Prince William Area has been prepared in accordance with Section 104 (d) of the Housing and Community Development Act of 1974, as amended (the Act). The Act requires that the County adopt, make public and certify that it is following a residential anti displacement and relocation assistance plan for U.S. Department of Housing and Urban Development (HUD) assisted programs covered by Section 104(d). This includes the Community Development Block Grant (CDBG) Entitlement program. The County will comply with this Residential Anti displacement and Relocation Assistance Plan for projects funded through the Community Development Block Grant (CDBG) Program.

The County is responsible for ensuring compliance with the requirements of the Act, notwithstanding any third party's contractual obligation to the County to comply with the provisions of the Act and the cost of assistance required under the Act. The Prince William Board of County Supervisors has authorized the Prince William Office of Housing and Community Development to implement this Plan and will undertake all aspects herein toward the administration of all federally funded Housing and Community Development efforts. All interpretations, policies and procedures, implementation of assisted projects and relocation assistance in reference to this Plan shall be in accordance with the provisions of the Act.

This plan contains three major components:

1. **One-For-One Replacement of Low and Moderate Income Dwelling Units**

All occupied and vacant occupiable low/moderate-income dwelling units that are demolished or converted to a use other than as

low/moderate-income housing as a direct result of an activity assisted under the Act must be replaced by governmental agencies or private developers with low- and moderate-income dwelling units within three years of commencement of the activity.

## **2. Relocation Assistance**

Relocation assistance must be provided to each low- or moderate-income household that is displaced as a direct result of an activity assisted under the Act.

## **3. Steps to Minimize Displacement**

The County will take steps to minimize the displacement of families and individuals from their homes and neighborhoods as a direct result of activities assisted under the Act.

### **One-For- One Replacement**

Replacement dwelling units must meet the following requirements:

- The units must be located within Prince William County, Manassas City, or Manassas Park;
- The units must be sufficient in number and size to house at least the number of occupants that could have been housed in the units that are demolished or converted. The number of occupants will be housed in accordance with applicable local housing occupancy codes in effect.
- The units must be provided in standard condition, and may include units that have been raised to standard from substandard condition.

- The units must be designed to remain low- moderate-income dwelling units for at least 10 years from the initial date of occupancy.
- Before obligating or expending federally supported program funds that will directly result in the demolition or conversion of low/moderate-income dwelling units to another use, Prince William County will make public, and submit in writing the following information to the U.S. Department of Housing and Urban Development (HUD) Washington D.C. Area Field Office:
  - A description of the proposed assisted activity.
  - A location map which identifies the approximate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than for low/moderate-income dwelling units as a direct result of the assisted activity.
  - A time schedule for the commencement and completion of the demolition or conversion.
  - A location map indicating the location of and approximate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units.
  - The source of funding and a time schedule for the provision of replacement dwelling units.
  - The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.

In the event Prince William County assesses that there is an adequate supply of vacant low/moderate-income dwelling units in standard condition available on a nondiscriminatory basis in the Prince William Area which could waive the requirements for one-for-one replacement units, Prince William County will submit a written request directly to the U.S. Department of Housing and Urban Development (HUD) Washington D.C. Field Office for a determination on this matter.

### **Relocation Assistance**

The Prince William Area will ensure that relocation assistance is provided as described in 24 Code of Federal Register (CFR) 570.606, to each low- or moderate-income household that is displaced by the demolition or by the conversion of a low/moderate income dwelling unit to another use as a direct result of an assisted activity. Such displaced person may elect to receive either relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or may elect to receive the following relocation assistance:

- A. The relocation assistance described at 24 CFR Part 42, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses);
- B. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit, and credit checks required to rent or purchase the replacement dwelling unit; and
- C. Replacement housing assistance. Households are eligible to receive one of the following forms of replacement housing assistance:

1. Each household must be offered compensation designed to ensure that, for a five-year period, the displaced household will not bear, after relocation, a ratio of shelter costs to income that exceeds 30%. Such compensation shall be either:

A certificate or housing voucher for rental assistance (if available) provided through the Office of Housing and Community Development which administers the Section 8 Rental Assistance Program authorized under the United States Housing Act of 1937. If a Section 8 certificate or housing voucher is provided, the Housing Office will ensure that referrals are provided to comparable replacement dwelling units where the owner is willing to participate in the Section 8 Existing Housing Program; or

Cash rental assistance equal to 60 times the amount that is obtained by subtracting 30 percent of the displaced household's monthly gross income (with adjustments allowed as permitted under the Section 8 certificate and voucher program) from the lesser of: the monthly cost of rent and utilities at a comparable replacement dwelling unit or the monthly cost of rent and utilities at the decent, safe and sanitary replacement dwelling to which the household relocates. To the extent that cash assistance is provided, it may, at the discretion of the County be in either a lump sum or in installments. Also at the discretion of the County, the household can be offered a choice between the certificate/housing voucher or cash rental assistance. (In contrast, the rental assistance under the Uniform Relocation

Act provides for a relocation payment that offers the same assistance, but only for a 42-month period.)

2. If the household purchases an interest in a housing cooperative or mutual housing association and occupies a decent, safe and sanitary dwelling in the cooperative or association, the person may elect to receive a lump sum payment as provided under the Act. To the extent necessary to minimize hardship to the household, subject to appropriate safeguards, a payment shall be issued in advance of the purchase of the interest in the housing cooperative or mutual housing association.

#### Counseling Services Available

- Personal interview to determine the relocation needs and preferences of each household to be displaced
- Explain relocation options
- Provide referrals to select replacement dwellings from a full range of neighborhoods within the total housing market
- Provide counseling on how to search for suitable replacement housing
- Advise households of their rights under the Federal Fair Housing Act
- Inspect the replacement housing selected by the family to ensure the unit is decent, safe and sanitary according to Section 8 Housing Quality Standards

### Review Rights and Procedures

If a person disagrees with the determination concerning their eligibility for, or the amount of, a relocation payment under the Act, the person may file a written appeal of that determination within ten days of the date of the notification, to the County through the Office of Housing and Community Development. The Director or his designee will conduct a review of the determination and render a written decision within 14 days of the date of the review.

In addition, a low- or moderate-income household that has been displaced from a dwelling may file a written request for review of the County's determination to the Washington D.C. HUD Field Office.

### Steps to Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the County through the Office of Housing and Community Development, will take the following steps to minimize the displacement of persons from their homes:

1. During the initial planning stages, each activity will be evaluated by the Office of Housing and Community Development to determine the impact on persons occupying the project.
2. During the planning stages, consideration will be given to the needs of the existing residents.
3. A public hearing will be held by the Prince William County Housing Advisory Board on proposed federally supported Housing and

Community Development activity as described in the Consolidated Plan, and residents who may be affected by displacement will be encouraged to attend.

4. Rehabilitation of existing occupied structures will be considered before demolition activity is undertaken.
5. Rehabilitation of structures will be geared toward assisting present occupants of the project to remain in the project.
6. If necessary, enlargement of units to accommodate overcrowded project residents will be considered during rehabilitation phases.
7. If possible, projects will be planned so that replacement units will be available at the time they are needed.
8. Whenever possible, vacant dwellings will be selected for acquisition in place of occupied units.
9. When possible, projects will be phased to reduce permanent displacement.
10. Residents will be kept informed of projects and will be re-surveyed periodically to determine changes in family composition and income.
11. If temporary relocations are necessary, priority consideration will be given to on-site temporary moves.

Prince William County does not anticipate any relocation activities will be required during July 1, 2006 through June 30, 2010.

Should any relocation assistance be required for any unplanned projects, Prince William County will follow the Residential Anti displacement and Relocation Assistance Plan outlined in this document.