

RESOLUTION NUMBER: 91-99

WHEREAS, Saint Johns County, Florida is undertaking a Community Development Program under the provisions of the Housing and Community Development Act of 1974 (Public Law 93-383) and amendments thereto; and

WHEREAS, the Housing and Community Development Act of 1974 requires compliance with the relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, hereinafter referred to as the Uniform Act and implementing regulations issued by the Department of Housing and Urban Development (CFR Title 24, Part 42) when the acquisition of real property occurs; and

WHEREAS, the County wishes to provide a local policy covering all probable types of relocation which may be necessary in accomplishing CDBG related activities;

THEREFORE, BE IT HEREBY RESOLVED, that Saint Johns County, Florida hereby adopt the attached Antidisplacement and Relocation Policy.

ADOPTED THIS 25 day of June 1991, by the Board of County Commissioners of Saint Johns County.

BOARD OF COUNTY COMMISSIONERS  
SAINT JOHNS COUNTY, FLORIDA

By: *Donald R. Herold*  
Donald Herold, Chairman

ATTEST:

*Patricia DeGrand*  
Deputy Clerk of the Court

SAINT JOHNS COUNTY  
ANTIDISPLACEMENT  
AND  
RELOCATION  
POLICY

# SAINT JOHNS COUNTY ANTIDISPLACEMENT AND RELOCATION POLICY

## I. Permanent Relocation Including Acquisition

All persons, families or businesses displaced as a result of acquisition, in whole or in part, shall be provided with relocation assistance and compensation as authorized by the Uniform Act. Procedures and forms shall be in accordance with the HUD Relocation Handbook 1378.

## II. Temporary Relocation - Owner Occupied Units

Program activities shall be planned and carried out in a manner that minimizes hardship to occupants of houses being rehabilitated in accordance with the CDBG program.

When a homeowner requests and receives a grant or loan for the purpose of rehabilitating his home, he becomes eligible for temporary relocation assistance providing the nature of the rehabilitation is such that the occupants could not continue to live in the dwelling during rehabilitation as determined by the contractor and the Program Administrator and approved by the Housing Administrator. Arrangements shall be made to provide temporary relocation assistance in accordance with the needs of those being temporarily displaced. Cost in connection with a temporary move may be included in the rehab assistance if no personal resources are available to the occupant of the dwelling to be rehabilitated.

Temporary relocation assistance will be limited to actual documented expenses to the limit of 125% of the normal Section 8 affordable rental rates according to family size. Family size will be determined by the approved Housing Rehabilitation applications submitted by the family.

## III. Permanent Relocation Without Acquisition

A. Demolition/Relocation is designed to provide an avenue for addressing the housing needs of persons affected by actions of the Federally supported Community Development Block Grant Program within Saint Johns County. The basic purpose is to establish a local procedure whereby adequate, affordable safe and sanitary housing can be provided to those persons displaced or forced to relocate as a result of housing rehabilitation activities and/or local code enforcement.

This aspect of the Policy addresses relocation activities which do not fall within the guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. The Demolition and Relocation option will be invoked in those cases where voluntary and/or code related demolition of severely substandard occupied housing units are required. Various alternatives are to be considered in providing relocation assistance to displacees, as follows:

### 1. Homeowners

- a. Provision of a one-time relocation cash payment not to exceed \$10,000.00, and the total documented moving costs within the County jurisdictional limits.
- b. The relocation payment will be based upon a per square foot replacement rate of as defined in Section B. This rate will be reviewed at least annually to ensure current application.
- c. Any homeowner electing to move to rental property shall be entitled to rental relocation only. See Section A(2).
- d. The relocation housing unit must meet safety, decency, and sanitation codes.

2. Tenants

- a. Provision of a one-time relocation payment not to exceed \$4,000 and total moving expenses within Saint Johns County.
- b. The total relocation payment will be based upon local rental rates for the specific bedroom category as defined by Section 8 Guidelines.
- c. The relocation housing unit must meet safety, decency, and sanitary codes.

3. Payment

The relocation payment must be recommended by the Program Administrator and approved by the Board of Commissioners.

B. Basis for Relocation Payment

1. Homeowner Occupants

- a. The payment for relocation is to be based upon a per square foot replacement rate of \$25.00 to a maximum of \$10,000.00 with minimum square foot allowances defined as follows:

<u>Location (1)</u>	<u>ROOM SIZES</u>			<u>Least Dimension (2)</u>
	<u>O-BR</u>	<u>1 &amp; 2 BR</u>	<u>3+ BR</u>	
LR	N/A	140	150	10'-10"
DR	N/A	80	100	7'- 8"
K	N/A	50	60	5'- 4"
K'ette	20	25	40	3'- 6"
BR(Double)	N/A	110	110	8'- 8"
BR(Single)	N/A	70	70	7'- 0"
LR/DA	N/A	180	200	(3)
LR/DA/K	N/A	220	250	(3)

<u>Location (1)</u>	<u>O-BR</u>	<u>1 &amp; 2 BR</u>	<u>3+ BR</u>	<u>Dimension (2)</u>
LR/DA/SL	220	N/A	N/A	(3)
LR/SL	190	N/A	N/A	(3)
K/DA	80	80	110	(3)
K'ette/DA	60	60	90	(3)

NOTES: (1) Abbreviations:

LU - Living Unit                      K'ette - Kitchenette  
 LR - Living Room                     BR - Bedroom  
 DR - Dining Room                    SL - Sleeping Area  
 DA - Dining Area                     N/A - Not Applicable  
 K - Kitchen                            O-BR - No Separate Bedroom

(2) Variations to these areas and dimensions may be permitted when existing partitions preclude precise compliance, and the available area of dimensions do not hinder furniture placement and the normal use of the space.

(3) The least dimension of each room function applies, except for the overlap or double use of space in combination rooms. It is anticipated that the Sq. Footages shown will be exceeded in virtually all cases.

2. Tenants

- a. The payment for relocation is to be based upon comparable rental rates for the local area as defined by current Section 8 Guidelines published in the Federal Register. The payment will be based upon a one-year period, but in no instance will the total relocation payment (excluding moving expenses) exceed \$4,000.00. Any variation from this will be fully documented in the subject case file.
- b. Reasonable documented moving expenses within the County to include such items as:
  1. Rental of vehicle/trailer for moving purposes.
  2. Reimbursement of utility deposits.
  3. Temporary relocation costs as necessary.
- c. In the event a displacee is relocated to a subsidized rental unit (such as Section 8, 202, public housing, etc.) the relocation payment will be based upon the unsubsidized portions of the monthly rental payment only.

IV. Provisions Concerning Replacement Residential Units

In accordance with provisions outlined previously, and 24 CFR 570.606 (b)(1), the County will, to the maximum extent possible, provide for a one-for-one replacement of all occupied and/or vacant occupiable low/moderate income dwelling units which are demolished or converted to non-residential use as a direct result of CDBG activities. Though Saint Johns County does not currently plan to undertake any actions to demolish occupied or vacant occupiable units with CDBG Program assistance, in the event such action should become necessary in the future, it will conform to the regulatory provisions of 24 CFR 570.606 (b).

Low and moderate income dwelling units are defined as dwelling units with a market rent (including utility costs) which do not exceed the FMR for Section 8 existing housing in Saint Johns County. Vacant occupiable low and moderate income dwelling units are defined to include units in any condition which are occupied (except by a squatter) at any time within the period of one year before the date of execution of the agreement covering the rehabilitation or demolition with the building owner.

The one-for-one replacement of low/moderate income housing units may be accomplished according to the following guidelines:

1. Replacement of housing through rehabilitation of vacant units which have been vacant for at least three months and for which no person has been displaced as a direct result of the assisted activity may be counted.
2. Rehabilitation of owner-occupied units which remain owner occupied do not require one for one replacement.
3. Replacement units must be provided within three years of the commencement of the demolition, rehabilitation, or other conversion. No units provided before the period beginning one year prior to the grantees written submission to HUD of the information describing the specific demolition or conversion activity and the proposed replacement of such units shall be counted.
4. Replacement units should, to the extent feasible and consistent with other statutory priorities, (including promoting housing choice and prohibiting development in areas affected by hazardous wastes, flooding, and airport noise) be located in the same neighborhood as the replaced units.

5. Replacement units must provide an equal number of bedrooms as the replaced units unless the County submits information demonstrating that the proposed replacement is consistent with the housing needs of low and moderate income households in the County.
6. The grantee must disclose to the public and advise HUD of the exact address and actual number and size (by number of bedrooms) of the units to be converted or demolished.
7. Exceptions from the one-for-one replacement may be authorized by HUD where there is a demonstrated adequate supply of vacant low and moderate income dwelling units in standard condition available on a non-discriminatory basis within the County. Vacant units outside but near the jurisdictional limits may be counted under certain circumstances. The request for an exception must be made public by publication in a newspaper of general circulation and interested persons must be informed that they have 30 days to provide HUD with information supporting or opposing the request.

With respect to this provision, the occupancy status and condition of each unit, which is demolished via CDBG assistance will be documented in the project files prior to demolition.

V. Availability of Assistance in Saint Johns County

Assistance detailed herein, will be provided on an as needed basis and will be available throughout the County. Due to the nature of the Saint Johns County CDBG Program, the prevalent use will be temporary relocation assistance during rehabilitation for homeowner occupied units. Demolition/relocation will only be utilized in extreme cases where units are found to be severely substandard and beyond rehabilitation.

VI. Relocation Plan

It is anticipated that few cases will require utilization of the Uniform Act provisions as Saint Johns County does not plan to acquire the subject properties unless absolutely necessary. This Plan is primarily used relative to temporary relocation for housing rehabilitation clients, and for relocation of families residing in severely substandard properties through demolition/relocation provision. These units are severely deteriorated beyond any possibility for rehabilitation or continued occupancy and even to the extent that emergency repair is not adequate to address any significant portion of the problem. This plan will be used in concert with the ongoing housing programs (Rental and Owner occupied), and will be available for utilization on an as needed basis throughout the County. In order to assure maximum choice in the event of relocation, referrals and location assistance will be provided to any displacee. This assistance will include at a minimum:

1. Contacting local housing lenders (as necessary)
2. Referral to local realty agencies (multiple listing service)
3. Transportation assistance as necessary (to examine potential relocation sites)
4. Provide contact list(s) of local rental complexes (both subsidized and non-subsidized)
5. Assist with processing for Section 8, 202, PHA, etc. (as applicable).

Whenever possible, tenant displacees will be afforded the opportunity to relocate to a subsidized unit under the Section 8 Rental Assistance, or similar program.

VII. Applicable Regulations

The Local Residential Anti-Displacement and Relocation Policy will be implemented in accordance with the following HUD regulations and guidelines:

- a) Section 1 of the Civil Rights Act of 1966 (42 U.S.C. 1982 et seq.)
- b) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200 d et. seq.)
- c) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et. seq.)
- d) The National Governmental Policy Act of 1969 (42 U.S.C. 4321-4347)
- e) Executive Order 11063 (Equal Opportunity in Housing) 3 CFR Comp. 1959-1963, Page 652
- f) Executive Order 112246 (Equal Employment Opportunity) 3 CFR Comp. 1964-1965, Page 339, as amended by Executive Order 11375, 3 CFR Comp. 1966-1970, page 684
- g) Executive Order 11625 (Minority Business Enterprise) 3 CFR Comp. 1971, page 213 (Ref. 1376.1: 9/79-11-4)
- h) HUD Handbook 1378: Tenant Assistance, Relocation and Real Property Acquisition.

VIII. Grievance Procedures

Any participant who has a complaint regarding relocation or form or assistance provided will have full access to the CDBG Grievance Committee in accordance with procedures outlined in the CDBG Citizen Participation Policy.

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WHEREAS, the County wishes to provide a local policy covering all probable types of relocation which may be necessary in accomplishing CDBG related activities;

THEREFORE, BE IT HEREBY RESOLVED, that Saint Johns County, Florida hereby adopt the attached Antidisplacement and Relocation Policy.

ADOPTED THIS ~~23rd~~ <sup>June</sup> day of ~~April~~ 1991 by the Board of Commissioners of Saint Johns County.

BOARD OF COUNTY COMMISSIONERS

SAINT JOHNS COUNTY, FLORIDA

BY: \_\_\_\_\_  
Donald Herold, Chairman

ATTEST:

\_\_\_\_\_  
Clerk of the Court

*Resolution has not attached?  
reviewed by Isser as to  
form and legality*