



# The Center City - West Greenville Revitalization Plan

Redevelopment Commission  
City of Greenville - North Carolina

## CITY OF GREENVILLE

### RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN, AS REQUIRED UNDER SECTION 104 (d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.

WHEREAS, Section 104 (d) of the Housing and Community Development Act of 1974, as amended, and implementing regulations require that each applicant for Community Development Block Grant (CDBG) funds must adopt, make public and certify that it is following a residential anti-displacement and relocation assistance plan; and

WHEREAS, the City of Greenville receives funding from the U. S. Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Greenville, do hereby adopt the residential anti-displacement and relocation assistance plan as described below.

### RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

In accordance with this statute, the City of Greenville will replace all occupied and vacant occupiable liveable low/moderate-income dwelling units demolished or converted to a use other than low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b)(1).

All replacement housing will be provided within 3 years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Greenville will make public and submit to the U. S. Department of Housing and Urban Development, the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of replacement dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g., a 2 bedroom unit with two 1 bedroom units), or any



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proposed replacement of efficiency or single room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs priorities identified in the City of Greenville's approved Consolidated Plan (CP).

The City of Greenville will provide relocation assistance, as described in the ACT and implementing regulations, to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities. Consistent with the goals and objectives of activities assisted under the Act, the City of Greenville adopts the following policies to minimize displacement of persons from their homes:

### A. NONDISCRIMINATION STATEMENT

There will be no discrimination based on race, age, sex, national origin, religion, and ethnic background in the provision of information, counseling, referrals, or other relocation services to persons displaced by CDBG activities. The practices and methods of the administration of this Residential Anti-displacement and Relocation Assistance Plan will not result in the displacement of persons because of their race, color, religion, sex, age, handicap, or national origin. All information and counseling to tenants will include:

- Opportunities to select a replacement dwelling from a full range of neighborhoods within the total housing market.
- Individual rights under the Federal Fair Housing laws.

- How to search for suitable replacement housing.

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undo financial burden on established homeowners and tenants.
3. Establish counseling to provide homeowners and tenants with information on assistance available to help them remain in their neighborhoods in the face of revitalization pressures.

### B. DISPLACED PERSONS

Any person that is moved from real property or moves his or her personal property from real property permanently as a direct result of one or more of the following activities:

1. Acquisition of or written notice of intent to acquire, or initiation of negotiations to acquire, such real property, in whole or in part, for a project.
2. Rehabilitation or demolition of such real property for a project.
3. Rehabilitation, demolition, or acquisition, (or written notice of intent) of all or part of other real property on which the person conducts a business or farm operation, for a project.

### C. PERSONS NOT ELIGIBLE FOR ASSISTANCE

A person is not eligible for relocation assistance under the provisions of the URA if any of the following occurs:

- Such repairs or acquisition will benefit the tenant;



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- The person was evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violations of applicable Federal, State or local law, or other good cause.

However, if the person was evicted only to avoid the application of URA, then that person is considered displaced and is eligible for assistance.

- The person has no legal right to occupy the property under State or local law.
- The Municipality determines that the person occupied the property to obtain relocation assistance and the HUD field office concurs in that determination.
- The person is a tenant-occupant that moved into the property after a certain date, specified in the applicable program regulation, and before leasing and occupying the property, the City of Greenville or its subgrantee provided the tenant-occupant written notice of the application for assistance, the project's impact on the person, and the fact that he or she would not qualify as a "displaced person" because of the project.
- The person is a tenant-occupant of a substandard dwelling that is acquired or a tenant-occupant of a dwelling unit to which emergency repairs are undertaken and the HUD Field Office concurs that:

- Bringing the unit up to a safe, decent, and sanitary condition is not feasible;
- The tenant's new rent and average estimated monthly utility costs will not exceed the greater of: the old rent/utility cost or 30 percent of gross household income; or
- The project will not impose any unreasonable change in the character or use of the property.

- The person is an owner-occupant of the property who moves because of an arm's length acquisition.
- The City of Greenville or subgrantee notifies the person that they will not displace him or her for the project.
- The person returns the right of use and occupancy of the real property for life following the acquisition.
- The City of Greenville determines that the person is not displaced as a direct result of the acquisition, rehabilitation, or demolition for the project and the HUD Field Office concurs in the determination.

## MINIMIZING DISPLACEMENT

As a general philosophy, the City of Greenville will take reasonable steps to minimize displacement occurring as a result of its CDBG and HOME activities. This means that Community Development Division will:

1. Consider if displacement will occur as a part of funding decisions and project feasibility determinations.



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Appendix C

2. Assure, whenever possible that occupants of buildings to be rehabilitated are offered an opportunity to return.
3. Plan substantial rehabilitation in “stages” to minimize displacement.
4. Meet all HUD notification requirements so that affected persons do not move because they have not been properly informed about project plans and their rights.

### I. ANTI-DISPLACEMENT POLICY

The City of Greenville policy is to minimize to the greatest extent feasible, the displacement, whether permanently or temporarily, of persons (families, individuals, businesses, nonprofit organizations, or farms) from projects funded with CDBG or HOME involving single or multifamily rehabilitation, acquisition, commercial rehabilitation, demolition, economic development, or capital improvement activities.

Projects that the City of Greenville deems beneficial by that may cause displacement may be recommended and approved for funding only if the City or its subgrantee demonstrates that such displacement is necessary and vital to the project and that they take efforts to reduce the number of persons displaced. Further, they must clearly demonstrate that the goals and anticipated accomplishments of a project outweigh the adverse effects of displacement imposed on persons who must relocate.

### DISPLACEMENT ASSISTANCE

Consistent with the goals and objectives of the CDBG and HOME programs, the City will take all reasonable steps necessary to minimize displacement even temporarily of very low-income persons by persons from a higher income group.

If the City displaces a low or moderate-income household, that household becomes eligible for certain relocation payments. The assistance applies to those persons residing in the residence at the time the project is approved. Each residential person who earns less than 80 percent of the area median income and who is required to move permanently as a result of a project under CDBG or HOME program shall be entitled to assistance based on the following procedures:

#### 3. Notices and Other Advisory Services

All occupants are entitled to timely notice explaining whether or not they will be displaced. Occupants to be displaced must be informed of their eligibility for relocation assistance and the nature of the assistance. Those occupants not to be displaced must be informed of the terms and conditions under which they may occupy the property upon completion of the project. A displaced person must be advised of his or her rights under the Fair Housing Act (42 U.S.C. 3601-19). Each notice shall be personally served or sent by certified or registered first-class mail, return receipt request, date of delivery and documented in the agency files.

#### 4. Moving Expenses

A displacee may choose to receive payment for moving and related expenses by reimbursement of Actual Moving and Related Expenses, or Receipt of a Fixed Payment based upon the current schedule for unfurnished units as listed:



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1 Room	\$350.00
2 Rooms	500.00
3 Rooms	650.00
4 Rooms	750.00
5 Rooms	850.00
6 Rooms	950.00

c. Located in an area that is not subject to unreasonable adverse environmental conditions, is not generally less desirable than the location of the displaced person's dwelling with respect to public utilities, and commercial and public facilities, and is reasonably accessible to the person's place of employment (or to sources of employment if the person is unemployed but seeking work).

This schedule is established by the Federal Highway Administration (DOT) and may be subject to change.

### 1. Replacement Housing Assistance

A displaced tenant or owner occupant for 90 days that rents a replacement dwelling is entitled to a payment not to exceed \$5,250.00. This payment may be for a period of 42 months and is offered in order to reduce the monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling.

### 2. Section 8 Assistance

Where possible, eligible persons will be offered Section 8 Housing Certificate of Family Participation or Voucher. The Certificate or Voucher will reduce the monthly costs (rent and utilities) to 30 percent of income. The definition of a suitable replacement dwelling shall be:

- a. Decent, safe, and sanitary.
- b. Available at a monthly housing cost (rent and utilities) that does not exceed 30 percent of the gross income of all members of the individual's household who are 18 years of age or older.

## F. RESIDENTIAL PERSONS TEMPORARILY DISPLACED

Each residential person who earns less than 80 percent of the median income and who is required to move temporarily as a direct result of a project assisted under a CDBG or HOME Program shall be entitled to assistance in accordance with the following policies:

- 1. **Timely Information.** The person shall be personally contacted or sent certified or registered first-class mail, return receipt requested, notice of temporary displacement. The notice shall fully explain the reason for the temporary displacement and indicate the person's eligibility for relocation assistance.
- 2. **Advisory Services.** The individual shall be provided appropriate advisory services to minimize hardships in adjusting to the relocation.
- 3. **Replacement Housing Assistance.** No displacee earning less than 80 percent of median income shall be required to move temporarily unless given a reasonable choice of opportunities to lease and move to a suitable replacement dwelling.





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- 4. Temporary Relocation Housing. The displacee shall be reimbursed for any increase in rent and utility costs in the temporary unit (The utility cost increase may be estimated:) incurred in connection with the move.  
The housing offered for the temporary period shall be decent, safe, and sanitary. These funds will be paid by the investor-owner. CDBG or HOME funds can be used for this purpose.
- 5. Moving expenses. The displacee must be reimbursed by the investor-owner for all reasonable out-of-pocket expenses. CDBG or HOME funds can be used for this purpose.

## CERTIFICATION

Wanda T. Elks, Deputy City Clerk of the City of Greenville, North Carolina do hereby certify that the attached Resolution No. \_\_\_\_\_ has been unanimously adopted by the Greenville City Council in a regular meeting held on for a Residential Anti-displacement and Relocation Assistance Plan to be effective

The copy attached is true and accurate as adopted.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2004.

## NOW, THEREFORE BE IT RESOLVED:

Section 1. The Residential Anti-displacement and Relocation Assistance Plan for the City of Greenville, dated \_\_\_\_\_, 2004 is hereby adopted.

Section 2. This resolution shall be effective upon adoption. Adopted this \_ day of \_\_\_\_\_ 2004.

\_\_\_\_\_  
Wanda T. Elks, Deputy City Clerk

Sign: \_\_\_\_\_  
Robert D. Parrott, Mayor

ATTEST: \_\_\_\_\_  
Wanda Elks, Deputy City Clerk



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