

**ANTI-DISPLACEMENT AND RELOCATION POLICY  
SEMINOLE COUNTY COMMUNITY SERVICES DEPARTMENT  
COMMUNITY SERVICES DEPARTMENT  
COMMUNITY DEVELOPMENT DIVISION**

**I. Displacement Avoidance Policy**

The Seminole County Community Services Department imposes this policy to make all reasonable efforts to ensure that activities undertaken through the use of Community Development Block Grant (CDBG) or HOME Investment Partnerships Program (HOME) Programs, and/or other Federal funding will not cause unnecessary displacement or relocation. Such federally-funded programs will be administered in such a manner that careful consideration is given during the planning phase with regard to avoiding displacement. Involuntary displacement shall be reserved as a last resort action necessitated only when no other alternative is available, and when the activity is determined necessary in order to carry out a specific goal or objective that is of benefit to the public. In this case, community development and housing programs will be planned in a manner that avoids displacement of households or businesses to the extent feasible.

However, voluntary relocation (whether temporary or permanent) may be necessary in order to achieve a benefit to a household(s) or business (such as rehabilitation or replacement of the building). Such benefits shall be identified and requested by the displacee. In these cases, the seller may be required to waive rights as a condition of sale of the property, and the Uniform Relocation Act provisions will govern actions of the County and/or its representative. 24 CFR Part 570.606 (governing CDBG) and 24 CFR Part 92.353 (governing HOME) are the governing regulations regarding displacement and are incorporated by reference. 49 CFR Part 24 provides Uniform Relocation Act (URA) information and is incorporated by reference. As applicable, the HUD Handbook 1378, as amended, shall be adopted in its entirety as a part of this policy.

**II. Definitions of “Standard” and “Non-Standard-Suitable for Rehabilitation” Dwelling Units’ Condition**

In the absence of federal and state provided definitions, the following is provided to establish a frame of reference and context when dealing with matters of displacement and/or relocation as defined in the regulations cited above.

**A. Standard Condition**

A dwelling unit is considered “standard” if it has no major defects or only slight defects that are correctable through the course of regular or routine maintenance. It must also be in compliance with applicable the County’s Minimum Housing Code

**B. Substandard Condition Suitable for Rehabilitation**

To be suitable for rehabilitation, a certified housing inspector must inspect the dwelling and prepare a work write-up of repairs necessary to bring it up to standard condition. A cost estimate of repairs will be prepared based on the needs identified in the work write-up. Each unit will be evaluated for economic and structural feasibility for rehabilitation. Consideration will be given to replacement cost and extent of deterioration of the existing unit. Structures are not feasible for rehabilitation may be reconstructed.

**III. Permanent, Involuntary Displacement**

The County will provide reasonable relocation assistance to households and businesses displaced (moved permanently and involuntarily) as a result of the use of CDBG or other Federal funding. Assistance to displaced households may include: a) a payment for actual moving and

relocation expenses documented by receipts and/or vouchers from service providers and utility companies. The documents shall be submitted prior to the disbursement of payment; b) advisory services necessary to help in relocating; and c) financial assistance sufficient to enable the displaced person to lease a suitable, decent safe, and sanitary replacement dwelling where the cost of rent and utilities does not exceed 30% of the household gross income of a family earning 80% of the area median income.

A. Provisions for One-for-One Replacement

The County will replace, or ensure the replacement of, all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to use other than as low/moderate income housing as a direct result of activities assisted with funds provided in 24 CFR Part 570. Replacement low/moderate income units may include public or private housing. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion and will meet the following requirements:

1. The units will be located within Seminole County.
2. The units will meet all applicable Seminole County housing, building, and zoning ordinances and will be in standard condition.
3. The units will be sufficient in size and number (functionally equivalent) to house the number of occupants of the displaced household.

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

1. A description of the proposed assisted activity.
2. The general location on an area map including approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate-income dwelling units.
3. A time schedule for commencement and completion of the demolition or conversion.
4. The general location on a service area map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units.
5. Identification of the source of funding at the time of submittal and the time frame, location and source for the replacement dwelling unit.
6. Information demonstrating that any proposed replacement of a unit with a smaller unit is consistent with the housing needs of LMI persons in the jurisdiction.

B. Provisions for Relocation Assistance for Residential Displacement

The County will provide relocation assistance to each low/moderate income household involuntarily displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of Federally-assisted activities. Persons that are relocated involuntarily are entitled to:

1. A choice between actual reasonable moving expenses or a fixed expense and dislocation allowance.
2. Advisory services.
3. Reimbursement for reasonable and necessary security deposits and credit checks.
4. Interim living costs.
5. Replacement housing assistance which may include Section 8 assistance and referral to assisted units; cash rental assistance to reduce the rent and utility cost or lump sum payment equal to the present value of rental assistance installments to be used toward purchasing housing for a period up to 60 months (5 years).

C. Provisions for Non-Residential Relocation

Businesses, non-profit organizations, etc., shall not be relocated unless the move is voluntary, essential to the project from the public review, and the owner waives higher rights under the Uniform Act.

IV. Temporary, Voluntary Displacement and Relocation

Persons occupying housing which is to be rehabilitated using Federal funds must voluntarily agree to inclusion in the program and, if necessary, shall temporarily vacate the housing at the direction of the County or its designed agency in order to facilitate a safe, timely, and economical rehabilitation process. Benefits, if provided, will be limited to actual increases in housing costs incurred by the occupant and actual moving expenses. Approved rents for the assisted households will not exceed the current and HUD-established High HOME Rent.

V. Permanent, Voluntary Displacement and Relocation.

If it is determined by the County that the occupants of a dwelling should be permanently relocated and the occupants voluntarily consent, the County will assist in the relocation to a decent, safe and sanitary dwelling unit. Benefits, if provided, will be limited to increases in monthly housing costs incurred by the occupant in an amount equal to the lesser of 60 times the increase or 30% of the person's annual income. 24 CFR Part 570 must be consulted to determine specific limitations. Payment of relocation benefits for housing assistance will be spread over 60 months (or 42 months for non-LMI relocatees).

VI. Tenant Assistance Policy/Federal Rental Rehabilitation Program

A. It is not the local government's policy to displace families in rental units. Participating landlords will be required to warrant that the proposed rehabilitation will not cause any tenant to be permanently displaced unless the owner will be able to relocate the tenant displaced in accordance with the URA. Rehabilitation funds will not be used to rehabilitate the rental units if the rehabilitation will cause the permanent displacement of anyone.

B. If it becomes necessary for an owner to temporarily move a tenant from a unit as a direct result of Federally-assisted rehabilitation, the owners will assure that the tenant is offered a decent, safe and sanitary dwelling unit at an affordable rate as described in the applicable regulations. No tenant will be considered displaced if the owner has offered the tenant a decent, safe, sanitary and affordable unit and the tenant declines the offer.

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

VII. Displacement of Homeowners

When rehabilitation of the dwelling is not feasible or cost effective, demolition of a house with Federal funds may be considered only as a voluntary action by the homeowner. Seminole County will not provide relocation assistance in this situation, except as indicated in IV above.

VIII. Appeals/Counseling

A. If a claim for assistance is denied by the County, the claimant may appeal, where applicable to HUD, and HUD's decision shall be final unless a court determines otherwise.

B. Counseling will be provided to displacees in the areas of household finance, fair housing rights, real estate transactions, and locating and evaluating replacement-housing options.

Counseling shall be provided by the County or its designated agency to permanently ensure that:

1. No person is discriminated against based upon age, race, color, religion, sex, handicap, familial status, or national origin.
2. Displacees receive information concerning the full range of housing opportunities within the local housing market.



\_\_\_\_\_  
Homeowner

Date:\_\_\_\_\_

\_\_\_\_\_  
Homeowner

Date:\_\_\_\_\_