



# URA the HUD Way

## Module 1: URA Overview Summary

### General Overview

- URA—a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.
- If federal financial assistance is used in any phase of a project involving **acquisition, rehabilitation, or demolition**, URA requirements apply.
- The URA establishes minimum federal requirements for real property acquisition and relocation assistance for federally-funded projects.

### General Information

**Federal Financial Assistance** (see 49 CFR 24.2(a)(13) for definition):

- HUD funding in a project typically represents federal financial assistance.
- Sole use of Low Income Housing Tax Credits (LIHTC) or FHA mortgage insurance **is not** considered federal financial assistance.
- The URA may apply where LIHTC and FHA mortgage insurance are combined with other federal financial assistance.

**Displaced person:** Generally, any person who moves or moves their or personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a project (refer to 49 CFR 24.2(a) for the complete definition).

A “**person**” can be an individual, family, partnership, corporation, or association.

### Real Property Acquisitions

- Voluntary acquisitions depend on the circumstances and involve more than a willing buyer and seller.
- Acquisitions which fail to meet the test of a voluntary acquisition under 49 CFR 24.101(b)(1)-(5), must comply with the full Subpart B requirements of 49 CFR part 24.

### Residential Permanent Relocation

- Highlights include: relocation advisory services, minimum 90 day written notice to vacate, comparable replacement housing, moving expense payments, Replacement Housing Payments (RHPs) and housing of last resort when necessary.
- When an agency’s selected comparable replacement dwelling results in an RHP that exceeds the URA statutory limit, housing of last resort **must** be provided.
- Paying RHPs in excess of statutory monetary limits is a common method of providing housing of last resort for both tenants and homeowners.
- Homeowner-occupants selling their property under URA voluntary acquisition requirements do not qualify for relocation assistance. However, tenants displaced as a result of voluntary acquisitions are eligible.



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### Nonresidential Permanent Relocation

A nonresidential displaced person can be a **business, farm, or nonprofit**.

URA Nonresidential Relocation highlights include:

- Relocation advisory services,
- Minimum 90 day written notice to vacate, and
- Either:
  - Moving expense payments, related nonresidential expenses, and reestablishment expenses for small businesses (not to exceed \$25,000); **OR**
  - A fixed payment of up to \$40,000 (in lieu of all other expenses)

### Residential Temporary Relocation

- Temporary relocation should not exceed 12 months. After 12 months, agencies must offer permanent relocation assistance.
- Temporarily relocated households are to be reimbursed for reasonable increased out-of-pocket expenses.
- Temporary replacement housing must be decent, safe, and sanitary.
- Some HUD programs include additional temporary relocation requirements beyond the URA's minimum.

### Nonresidential Temporary Relocation

If a business will be shut-down for any length of time, it may be temporarily relocated and reimbursed for all reasonable out-of-pocket expenses or must be determined to be displaced, at the agency's option.

### Recordkeeping

HUD-funded recipients are required to maintain adequate records (including acquisition and occupancy documentation) to demonstrate URA compliance, **whether or not displacement occurs**.

Some HUD programs include additional acquisition and relocation requirements beyond the URA.