

Uniform Relocation Assistance (URA) Plan for Caldwell County Evacuation Center

Caldwell County in attempt to better serve its residents, more specifically where CDBG funds are applied, adopts the following Uniform Relocation Assistance (URA) Plan. The Commissioner's Court is aware of the URA regulations and will do all it can to avoid violations of the URA process. These violations may exist when persons are identified as displaced person without having received the required notices, timely relocation assistance, or accurate moving payments or replacement housing payments (RHP).

The County will follow the HUD URA guidelines to address the complaint connected to the future GLO-MIT Emergency Shelter to be located within the City of Luling as follows:

Step 1: County will reach out to the complainant by certified mail to request names, phone numbers, mailing address, email address for those who were lawfully occupying the site to be contacted in relation to the HUD URA Process.

- Additionally, one or more of the following actions will be taken to ensure proper due diligence in reaching out to displaced persons:
 - Place a notice in local newspapers that are circulated in the neighborhood (for at least 30 days), printed in the language(s) typically spoken in the project area.
 - Post a notice in a location within the project area, including at local community-based organizations.
 - Check with local post offices, utilities, or schools for a forwarding address or contact information.
 - Conduct social media and internet searches.
 - Hire a "finding service"
 - Other methods identified on a case-by-case basis, such as contacting the local Public Housing Authority if the former occupant was a Housing Choice Voucher (HCV) recipient.

Step 2: Upon identifying these displaced households and businesses, the County must request documentation of previous lawful occupancy for all persons who moved from the site in question. The County must evaluate all evidence of r occupancy such as:

- Evidence of Legal Residential Occupancy
- Valid lease from the owner of the site in question authorizing residential occupancy at the site receipts
- utility bills
- Bank Statements (At least 3 months during the time of occupancy)
- Other personal records to establish a timeline of occupancy for each dwelling within the project.

The County must evaluate all evidence of eligible Business relocation such as:

- Evidence of a legal business operated within the State of Texas
- LLC Paperwork and/or DBA paperwork through the State of Texas

- Bank Statements for business associated with property
- Valid Lease from the owner of the site in question showing lawful occupancy of the site

Documentation must be reviewed to determine if the person can demonstrate evidence of lawful principal residency at the time the occupant was required to move as a direct result of the HUD-funded activity or project.

Step 3: The County will evaluate eligibility for URA benefits based on the Initiation of Negotiations (ION) date. The ION establishes the earliest date at which the site had been selected for a project involving federal funding to trigger URA benefits. On June 14, 2022, a Performance Statement Change Request was submitted by Caldwell County establishing the exact location of the evacuation center in the City of Luling which establishes the ION date for this project. Based on the ION date, the county will issue the following documents based on the URA requirements:

- GIN Letter
- URA Brochure
- Project Location Map

All notices will be either hand delivered with receipt, via email address or sent via certified mail and documentation will be maintained within the county files.

Step 4: When a displaced residential occupant is determined to be eligible for a Replacement Housing Payments (RHP), the payment calculation involves a point-in-time analysis which must be calculated using housing costs, gross income, and household composition as of the applicable (ION) date. Generally, a displaced person must occupy a decent, safe, and sanitary dwelling (DSS) replacement unit to qualify for an RHP.

The tenant may choose between the following for Individuals and Families:

- Actual Reasonable Moving and Related Expenses: Expenses are determined based on actual, reasonable and necessary moving expenses for moving personal property from a dwelling. If the move has already occurred, documentation of moving expenses must be provided to determine reimbursement.
- Fixed Payment for Moving Expenses: This payment shall be determined according to the applicable Fixed Residential Moving Cost Schedule published by the Federal Highway Administration (FHWA). This allowance reflects the number of rooms in the displacement dwelling, all moving and related expenses, and takes into consideration whether the displaced person owns and must move furniture.

For Relocation of Businesses, Farms & Nonprofit Organizations:

- Payment of Actual, reasonable and necessary moving and related expenses: In addition to the payment of actual, reasonable and necessary moving costs, a small business may also be eligible for the actual, reasonable and necessary costs of reestablishment up to \$25,000.

- Fixed payment, in lieu of payment of actual, reasonable and necessary moving costs and reestablishment expenses: An eligible business, farm or nonprofit organization may be eligible for a fixed payment of no less than \$1,000 and no more than \$40,000.

In the instance where the County failed to offer referrals to comparable replacement dwellings at least 90 days before the person was required to move and the person enters into a lease or purchase agreement and occupies a DSS replacement dwelling, the RHP should be based on the cost of the DSS replacement dwelling provided it is otherwise comparable to the displacement unit.

In the instance where a County does not offer referrals to comparable replacement dwellings prior to a displaced person's move from the displacement dwelling at least 90 days before the person must move, and the person moves to a DSS replacement unit that is not comparable to the displacement dwelling, the County must locate the person and provide the person with advisory services and the option to move to comparable housing. To do this, the County must identify at least one comparable replacement dwelling and preferably three comparable replacement dwellings and provide the person referrals to currently available comparable dwellings.

Step 5: Once a tabulation of relocation costs has been completed, a Notice of Eligibility notifying the displaced household of the benefits under URA will be issued to each household or business. The county will need to inspect the replacement unit to determine if the unit meets DSS (decent, safe, and sanitary). Relocation benefits will be paid out in quarterly payment. Any retroactive payments will be made as a part of the initial payment.

If the County is unable to locate former occupants who moved without first receiving timely and accurate written notices, full documentation of the results of the County's efforts to locate former occupants is required. As long as this process is documented appropriately, no further action will be required.

If the County subsequently receives an inquiry from a person claiming to have been displaced, it should consider the merits of the claim to evaluate eligibility as a displaced person for relocation assistance and payments.

Retention of Records

Each search action and its results must be documented in the project file for all relocation cases. A separate file will be established for each household or business. All related documentation must be retained in the project file or submitted to HUD to clear monitoring findings as necessary. HUD recommends agencies maintain records of their acquisition and displacement activities consistent with recordkeeping requirements of Chapter 6 of HUD Handbook 1378, "Tenant Assistance, Relocation and Real Property Acquisition."