

## **Appendix D**

### **State of California Department of Housing and Community Development Residential Anti-Displacement and Relocation Assistance Plan**

It is the State's intent that the attached State Relocation Plan meets the administrative requirement under Section 104(d) relocation law and satisfies the public disclosure requirement for the State Relocation Plan through its inclusion in this Annual Plan.

Applicants, subrecipients, contractors, and developers who utilize [Community Development Block Grant \(CDBG\)](#), [Community Development Block Grant—Disaster Recovery \(CDBG-DR\)](#), National Housing Trust Fund Program (NHTF), and [Home Investment Partnerships Program \(HOME\)](#) program funds will be required to certify they will follow the State Relocation Plan and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) Requirements when they apply for funds. Program recipients will be required to certify that they will follow the State Relocation Plan and the URA Requirements.

CDBG, CDBG-DR, NHTF, and HOME contracts with the Department may also contain conditions relating to relocation to ensure any additional relocation requirements will be adhered to, if required. Each program's application includes items relating to acquisition and/or relocation on application checklists in order to alert the State regarding activities that may trigger compliance with federal relocation law. Contract special conditions language and/or application checklists will help to ensure that any persons eligible for relocation benefits because of activities funded by CDBG, CDBG-DR, NHTF, or HOME will receive their proper benefits.

A copy of the plan follows.

### **State of California Residential Anti-Displacement and Relocation Assistance Plan**

The U.S. Department of Housing and Urban Development (HUD) requires the State to certify that it has in place and is following a Residential Anti-displacement and Relocation Assistance Plan (RARAP). This RARAP is prepared by the State in accordance with the Housing and Community Development Act of 1974, as amended; 49 CFR Part 24, and HUD regulations at 24 CFR 42.325, and the CDBG-DR Universal Notice (90 FR 1754, updated 4/5/2025) and is applicable to the State's CDBG, CDBG-DR, NHTF, and/or HOME-assisted projects.

The purpose of the RARAP is to ensure that the State and its subrecipients carry out HUD-assisted projects in a manner that minimizes displacement and minimizes the impacts of displacement in cases where it is necessary and ensure accessibility needs of displaced persons with disabilities. The RARAP also explains how the State will provide relocation assistance to all families and individuals who are displaced as a direct result of HUD-assisted projects and how all occupied and vacant occupiable low-moderate income (LMI) dwellings that are demolished will be replaced on a one-for-one basis. Under CDBG-DR, subrecipients can also create separate option relocation policies provided they comply with federal regulations. Further detail can be found in the State's URA policies and procedures. These same

requirements also apply to projects assisted with HOME and NHTF funds, which must comply with the URA and, when applicable, Section 104(d) requirements, including the preparation of a RARAP, provision of relocation assistance, and one-for-one replacement of low income units pursuant to 24 C.F.R. § 42.375.

### **Minimize Displacement**

There are several activities that the State may undertake that could trigger displacement. These include demolition, acquisition, buyout, and rehabilitation or reconstruction. Some activities will not cause a displacement, such as planning; in these cases, minimizing displacement is not applicable.

The State will plan CDBG-DR, NHTF, and HOME programs or projects in such a manner that recognizes the substantial challenges experienced by displaced individuals, families, businesses, farms, and nonprofit organizations and develop solutions to minimize displacement or the adverse impacts of displacement, especially among vulnerable populations.

Consistent with the goals and objectives of activities assisted with CDBG, CDBG-DR, NHTF, or HOME funds, the State will take the following steps to minimize the direct and indirect displacement of persons from their homes, and where minimizing displacement is not feasible, minimizing the adverse impacts of displacement:

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants. Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
3. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
4. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
5. Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
6. Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner- occupants or tenants in revitalizing areas.
7. Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

8. The State will require all Recipients to adopt specific relocation plans for programs and projects which could trigger relocation activities prior to release of funds for those funded activities.
9. The State will require documentation of relocation notices for proposed activities in funding applications which could trigger relocation of existing persons.
10. All persons subject to relocation will be informed of a formal appeal process. The State will require a formal appeal process to be included in all relocation plans for CDBG projects that displace persons. At a minimum, the appeals process will allow persons to submit written appeals of their relocation determinations or determinations of benefits within 60 days of relocation notification. The formal appeals process will also explain how to contact the State or HUD for administrative review. If the person continues to be dissatisfied with the formal appeals process then the person may pursue legal action to resolve the disagreement.
11. Prioritize projects that that minimize displacement and relocation.
12. Where applicable, work with Manufactured Housing Units (MHU) owners and residents to establish lease covenants or other contractual protections ensuring tenants can remain in place, or provide relocation assistance to help residents secure safe, comparable replacement sites within the same community when protections are not feasible.
13. Secure temporary replacement housing for persons who must be relocated temporarily during rehabilitation.
14. When infrastructure improvements are planned within residential areas, the State will coordinate construction phasing to maintain access to homes and services and to avoid unnecessary temporary displacement.
15. Design buyout programs to be voluntary and will ensure that participants are fully informed of available options and assistance before agreeing to sell their property.
16. Implement temporary relocations or construction in phases and scope to the complexity and nature of the anticipated displacing activities, including the evaluation of the State's available resources to carry out timely and orderly relocations in compliance with all applicable relocation requirements.

### **Relocation Assistance to Displaced Persons**

The State of California will ensure that all subrecipients and/or grantees will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under CDBG, CDBG-DR, NHTF, or HOME programs, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as

amended, and implementing regulations at 49 CFR Part 24. Appropriate accommodations will be provided to meet the needs of members of vulnerable populations, including but not limited to accounting for accessibility needs of persons with disabilities. The State must plan and budget for relocation activities and identify the needs of the potentially displaced for each project. This may include site visits, interviews, orientations, surveys, and more. The State will take into consideration housing market conditions, acquisition costs, relocation payments, and professional service costs in the plans and budgets.

The State may choose to offer Optional Relocation Assistance (ORA) as allowed for by HUD under 24 CFR 570.606(d) to program participants and other persons displaced by federally funded activities who do not meet the URA definition of “displaced person” and would therefore not be eligible for URA relocation assistance.

For CDBG-DR programs, the State may make lump-sum relocation rental assistance payments to displaced residential tenants rather than installments in order to ease administrative burden.

### **One-for-One Replacement of Lower-Income Dwelling Units**

All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than lower-income dwelling units in connection with a CDBG, CDBG-DR, NHTF, or HOME assisted activity must be replaced with comparable lower-income dwelling units in compliance with 24 CFR 42.375, unless waived. The State of California will ensure that all recipients of federal grant funds replace all occupied and vacant occupiable lower income housing units demolished or converted to a use other than lower income housing as a result of investment of these funds.

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a State Contract committing the funds for a project that will directly result in demolition or conversion, the State will require the grant recipient to make public by publication in a newspaper of general circulation, local posting, and submitting to the State, the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower income housing that will be demolished or converted to a use other than as lower income housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of bedrooms and location on a map of the replacement housing that has been or will be provided.
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain lower income housing 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 two-bedroom unit with two one-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved local housing element and/or Comprehensive Housing Affordability Strategy (CHAS), and 24 CFR 42.375(b).

To the extent that the specific location of the replacement housing and other data in items 4 through 7 are not available at the time of the general submission, the State Recipient will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available. The above information shall be submitted before funds are committed by the State or eligible subrecipient for CDBG, CDBG-DR, NHTF, or HOME activities.

Ultimately, the primary grantee, the State, is responsible for tracking and ensuring compliance with the RARAP and URA. However, the subrecipient awarded Federal funds by the State is responsible for tracking the replacement of lower income housing and ensuring that it is provided within the required period. The State will monitor the subrecipient to ensure the proper number and types of units are replaced.

The subrecipient awarded Federal funds by the State is responsible for providing relocation payments and other relocation assistance to any lower income person displaced by the demolition of any housing or the conversion of lower income housing to another use. The State will monitor the Recipient to ensure the proper relocation benefits are provided to displaced households. All relocation benefits will be at or above the required benefits per CFR Part 42 Subpart d pursuant to Section 104(d). If the project receives HOME funds, the requirements of 24 CFR 92.353 must be met and if the project receives NHTF funds, the requirements of 24 CFR 93.352 must be met as well

## **APPEALS**

All tenants will have an opportunity to file an appeal in accordance with the URA regulations at 49 CFR 24.10 and the Grantee Appeals Policy. Information on how to submit an appeal will be included in the required URA written notifications. For tenants with potential communication barriers, including limited English proficiency, or who otherwise require reasonable accommodation in preparing an appeal, the Grantee shall provide such assistance directly or through an appropriate third party at no cost to the tenant. Tenants will be provided with a copy of the Grantee Appeal Procedures during their intake interview. The Grantee Appeal Procedures will also be mailed to tenants as an enclosure to any appealable determination.

## **CONTACT**

The State can be contacted at [phone number] or [email address].

## **CERTIFICATION**

The State certifies that it has in effect and is following this Residential Anti-Displacement and Relocation Assistance Plan (RARAP) as required by section 104(d)(1) and (2) of the HCDA, 24

CFR 42.325, and the aforementioned HUD Universal Notice applicable to its allocations of CDBG-DR funds.

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Authorized Representative

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Date