

## City Commission Policy 1100

### Permanent Relocation Policy

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DEPARTMENT: Economic and Community Development

DATE ADOPTED: October 9, 1991

DATE OF LAST REVISION: May 23, 2018

#### **1100.01 AUTHORITY AND PURPOSE:**

The City of Tallahassee, by policy adopted October 9, 1991, has chosen to provide relocation assistance to low and very low-income persons displaced from their homes by code enforcement action. This relocation assistance is beyond the scope of assistance required by the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et seq.; Pub. L 91-646) as amended by the Uniform Relocation Act Amendments of 1987 (Title IV of Public Law 100-17), and will establish a mechanism for provision of assistance to low and very low income persons with no other financial resources, who must relocate from their residences because of code enforcement action or disaster. This policy is intended to meet the requirements of the Community Development Block Grant (CDBG) regulations, 24 CFR 570.606 (d) (Optional relocation assistance), which state, "The grantee...must adopt a written policy available to the public that describes the relocation assistance that the grantee...has elected to provide....", in order to use CDBG funds for relocation beyond the requirements of the Uniform Relocation Act.

#### **1100.02 SCOPE AND APPLICABILITY:**

This policy provides for certain types of relocation assistance to low and very low income citizens forced to move from dwellings which have been declared dangerous structures by code enforcement action. This assistance can be provided from Community Development Block Grant funds and is a voluntary extension of relocation assistance beyond the requirements of the Uniform Relocation Act to serve the needs of the citizens of the City of Tallahassee.

#### **1100.03 DEFINITIONS:**

**Low and very low income persons:** Specific categories of persons eligible for assistance with federal funds, as defined by HUD guidelines, which delineates median family income for various sized families in each entitlement community and designates that persons or families with an income less than 80% of median for their family size are considered low income, and persons or families with an income less than 50% of median for their family size are considered very low income.

**Code Enforcement Action:** Code Enforcement Staff, upon inspection in the course of their duties, may condemn a building under the definition found in Chapter 7, Section 7-114 of the City Ordinances. Such a declaration requires that the building be vacated for either extensive rehabilitation or demolition.

**CDBG-Community Development Block Grant:** is an entitlement grant provided to the City of Tallahassee annually by HUD (as authorized and allocated by Congress) for use in programs authorized under Title I of the Housing and Community Development Act of 1974, as amended. The primary objective of this program "...is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."

**Community Development Act of 1974, as amended:** The primary objective of this program "...is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."

**Household:** means one or more persons occupying a housing unit.

**HUD - United States Department of Housing and Urban Development:** Within the City, the liaison for HUD grant funding is the ECD.

**HUD Income Guidelines:** are published at least annually by HUD for use by local jurisdictions in determining income eligibility. Guidelines include area median income adjusted for family size, and figures for 80% and 50% of area median income, adjusted for family size, for use in determining the maximum limits for low and very low income family incomes.

**ECD - Economic and Community Development Department:** Within this department, relocation issues are handled by the Housing Division.

#### **1100.04 ACTION SECTION:**

##### **Services Provided:**

1. It is the intent of the City to provide assistance to households permanently dislocated by code enforcement action up to a maximum of no more than \$4,000 for all services provided.
2. **Hotel/Motel Assistance:** Up to ten days' lodging, preferably in a room(s) with kitchenette accommodations, with total cost not to exceed current cost guidelines to be established by ECD Housing Division.

3. **Rent:** One month's rent paid to the landlord of a unit chosen by the client.
4. **Security Deposit:** If a security deposit is required by the landlord of the new unit chosen by the client, the deposit, not to be greater than one month's rent, may be paid to the landlord on behalf of the client along with the first month's rent.
5. **Utility Deposit:** Paid if required by the City. Attempt shall be made as part of the casework process to have the City Utility Services transfer the client's utility deposit to the new account.
6. **Moving Expenses:** Actual cost of moving personal property to the client's new location may be paid on behalf of the client to the moving company, up to a maximum expense per household unit to be determined by ECD Housing Division.
7. **Housing Inspection:** The Code Enforcement staff shall conduct an inspection of the unit selected by the client as replacement housing and certify that the unit meets City Housing Code standards, at a minimum. This service will be provided to the client to ensure City funds are used appropriately.

**Eligibility Criteria:**

**Income:** Benefits shall be made available to low and very low-income persons as defined by ECD Housing Division, using guidelines published periodically by HUD and incorporated here by reference. These guidelines identify the median family income for the City and define low and very low income in relation to the median family incomes, with adjustments for family size. The income guidelines in force shall be provided by the ECD Housing Division as they are issued by HUD.

**Insurance restrictions:** If the household being relocated has insurance coverage which will pay any portion of the benefits available from the City, the insurance shall take precedence and City benefits shall not be paid for that portion.

**Repetition of Benefits:** A person who has been a member of a household receiving permanent relocation assistance within the previous four years shall not be eligible for relocation assistance under this policy.

**Method of Payment:** All payments shall be made directly to the vendor, on behalf of the client.

**Grievance Procedures:** Any person who disagrees with the determination of their eligibility for assistance under this program may appeal the decision to the Housing Administrator in the Economic and Community Development Department. Appeals will be handled according to grievance procedures set up by the Housing Division of this department to assure a fair hearing for all parties.

**1100.05 ADMINISTRATION:** The Department of Economic and Community Development shall be responsible for administration of this policy.

**1100.06 SUNSET REVIEW:** This policy shall be considered for sunset review five years from the date of latest adoption.

**1100.07 EFFECTIVE DATE:** This amended policy shall be effective immediately upon City Commission approval.