

## **Changes in Public Housing Demolition/Disposition Relocation Requirements under Section 18 of the United States Housing Act of 1937 as amended by the Quality Housing Work Responsibility Act of 1998 (QHWRA)**

**References:** Notice PIH 2003-9 (HA), Notice CPD 02-8, Handbook 1378

**Key change to relocation requirements in QHWRA:** URA is not applicable to the relocation of residents based on an approved application for demolition or disposition of public housing units under Section 18 (with or without HUD financial assistance) after October 21, 1998 (the effective date for QHWRA). Section 18 includes relocation provisions for covered projects that are similar to, but not identical to, the URA.

**Section 18 relocation provisions apply to displacement which is the result of a PIH project approved under:**

- Section 18 demolition or disposition only (with or without HUD financial assistance),
- Consolidation of occupancy (Section 18(e)), and
- De Minimus demolition (Section 18(f))
- HOPE VI disposition pursuant to a revitalization plan and public housing developed in lieu of the disposed units (Section 24(g))
- HOPE VI demolition grants without a revitalization plan (Section 24(g))

**URA relocation provisions apply to PIH programs involving displacement which is the direct result of acquisition, rehabilitation, or demolition (whether or not these activities are directly assisted, if they are integrally related to assisted project activities under:**

- Hope VI projects not excluded under Section 24(g) (see above),
- Capital Fund acquisition, rehabilitation (modernization or conversion), or demolition,
- Conversion (mandatory, voluntary and required)<sup>1</sup>, and
- Section 32 Homeownership (non-public housing residents only)<sup>2</sup>

---

<sup>1</sup> Conversions under Section 202 of the HUD Appropriations Act of 1996, Section 533 or 537 of QHWRA

<sup>2</sup> Only non-public housing residents who are displaced by a homeownership program are covered under the URA, public housing residents who do not exercise the right of first refusal to purchase a unit are covered under separate protections provided under section 536 (e) of QHWRA and are considered as tenants subject to a transfer.

## Relocation Assistance for Public Housing Tenants: URA vs. Section 18

	URA Requirements	Section 18 Requirements
Moving & Related Expenses (PHA unit move to a PHA unit)	<p><b>PHA choice!</b></p> <ul style="list-style-type: none"> <li>• PHA move resident with force account staff or contractor (\$100 allowance to resident), <b>or</b> allow resident to choose:               <ul style="list-style-type: none"> <li>○ Payment for actual costs of a self-move, or</li> <li>○ Payment for self-move at DOT schedule amount or</li> <li>○ A combination of both.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Actual and reasonable relocation expenses</li> </ul>
Moving & Related Expenses (PHA unit move to private market—with or without Voucher assistance)	<p><b>Resident's choice!</b></p> <ul style="list-style-type: none"> <li>• Payment for actual costs of a Self-move, or</li> <li>• Payment for self-move at DOT schedule amount, or</li> <li>• A combination of both.</li> <li>• (Optional) PHA may offer to move resident with force account staff or contractor (\$100 allowance to resident)</li> </ul>	<ul style="list-style-type: none"> <li>• Actual and reasonable relocation expenses</li> </ul>
Replacement Housing Payment	<ul style="list-style-type: none"> <li>• Computed on 42-month period</li> <li>• Amount needed to reduce new rent/utility costs to the lower of old rent/utility costs or (for low income persons only, 30% of gross monthly income)</li> <li>• “Gap” payments may be necessary even between old PHA rent and new PHA unit rent or Voucher subsidies</li> </ul>	<ul style="list-style-type: none"> <li>• Provide comparable housing which may be:               <ul style="list-style-type: none"> <li>○ Tenant based assistance (voucher)</li> <li>○ Project-based assistance</li> <li>○ Public housing unit</li> <li>○ No provisions for “gap” payments</li> </ul> </li> </ul>

	URA Requirements	Section 18 Requirements
Notices	<ul style="list-style-type: none"> <li>• General Information Notice (GIN) (at application for the project)</li> <li>• Notice of Eligibility or Non-displacement at ION</li> <li>• 90 day notice to vacate</li> </ul>	<ul style="list-style-type: none"> <li>• 90 day notice to move</li> </ul>
Services	<ul style="list-style-type: none"> <li>• Advisory services <ul style="list-style-type: none"> <li>○ Determine resident needs and preferences</li> <li>○ Explain payments and assistance</li> <li>○ Current and continuing information on comparable housing</li> <li>○ Inspection of replacement housing</li> <li>○ Assistance filling out claim forms</li> <li>○ Mobility counseling</li> <li>○ Transportation to inspect housing</li> <li>○ Advice on other assistance sources</li> <li>○ Information on federal and state housing programs</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Necessary counseling</li> <li>• Mobility counseling</li> </ul>