

Orange County, North Carolina Residential Anti-Displacement and Relocation Assistance Plan

This Residential Anti-displacement and Relocation Assistance Plan (“RARAP”) is prepared by the Orange County Housing Department (“OCHD”) in accordance with the Housing and Community Development Act of 1974, as amended, (the “Act”) and U.S. Department of Housing and Urban Development (“HUD”) regulations at 24 CFR 42.325.

This plan is applicable to Community Development Block Grant (“CDBG”) and HOME Investment Partnerships Program (“HOME”) assisted programs and projects. The plan outlines reasonable steps Orange County will take to minimize displacement and ensure compliance with all applicable federal and state relocation requirements. The County will make all reasonable efforts to ensure that activities undertaken with CDBG and HOME Program funds will not cause unnecessary displacement or relocation. The County will continue to administer the CDBG and HOME programs such that careful consideration is given during the planning phase to avoiding displacement. Displacement of any nature shall be reserved as a last resort action necessitated only when no other alternative is available and when the activity is determined necessary in order to carry out a specific goal or objective that is of benefit to the public.

If the displacement is precipitated by activities that require the acquisition (either in whole or in part) or rehabilitation of real property directly by the County or an agent, all appropriate benefits as required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments, or the Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) shall be provided to the displaced person or persons.

Residential Anti-Displacement and Relocation Assistance Plan

Provisions for One-for-One Replacement

Orange County will replace all occupied and vacant occupable low/moderate-income dwelling units demolished or converted to a use other than as low-moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as Amended. Replacement of low/moderate-income units may include public housing or existing housing receiving Section 8 project-based assistance.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion and will meet the following requirements:

- The units will be located within the County.
- The units will meet all applicable County housing, building and zoning ordinances.
- The units will be designed to remain low/moderate-income dwelling units for at least 10 years from the date of initial occupancy.

Before obligating or expending CDBG or HOME funds that will directly result in such demolition or conversion, the County will make public and submit to HUD the following information in writing:

- A description of the proposed assisted activity;
- Once identified, the general location on a target area map including approximate number of dwelling units by size (number of bedrooms) to be demolished or converted to a use other than low/moderate income dwelling units;
- A time schedule for commencement and completion of the demolition or conversion;
- Once identified, the general location on a target area map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units;
- The County will identify the source of funding at the time of submission and will provide the replacement unit within three years of demolition or conversion.
- The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.

Consistent with the goals and objectives of activities assisted under the Act, the Housing Department will take the following step to minimize the displacement of persons from their homes as a result of CDBG/HOME-assisted activities:

- The CDBG/HOME programs will continue to be structured so that only vacant, dilapidated units or occupied units in poor condition will be considered for demolition. Demolition may also be permitted to allow for improved vehicular and pedestrian circulation in neighborhoods where master plans have been approved and adopted by the neighborhood association.

Provisions for Relocation Assistance for Residential Displacement

Orange County will provide relocation assistance, as described in HUD Handbook 1378, Tenant Assistance Relocation and Real Property Acquisition Handbook, dated January, 2006, to each household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of CDBG/HOME-assisted activities. Persons who are relocated are entitled to the following:

- A choice between actual, reasonable moving expenses (as described in Handbook 1378, Section 3-2a) or a fixed expenses and dislocation allowance (as described in Handbook 1378, Section 3-2b).
- Advisory services
- Reimbursement for reasonable security deposits (for Section 104d-eligible persons only)
- Replacement housing assistance, which may include a Section 8 housing choice voucher certificate and referral to assisted units; cash rental assistance to reduce the rent and utility costs to displacement dwelling levels; or lump sum payments to be used to purchase a replacement dwelling. Cash rental assistance may be made for a period of 42 months under the Uniform Relocation Act (URA) or for a period of 60 months under Section 104(d). At its discretion, the County may provide advance rental payments in cases of poor rental history of a relocation candidate.

Public Review

To ensure compliance with section 104(d), Orange County will make public this RARAP by posting the plan on the OCHD webpage. Any time CDBG or HOME funds are proposed for use in a project with residential displacement impacts, the County will publish a notice in local newspapers of general circulation (such as *The Daily Tarheel* and *La Noticia*) that includes information on this plan as well as the identified project areas. The purpose of the public disclosure requirement for the RARAP is to ensure that citizens are made aware of the County's plans for demolition and conversion of existing low- and moderate-income housing and how it intends to replace those lost dwelling units.

Questions Related to Relocation Assistance and Advisory Services

Relocation assistance will be provided in accordance with the Act at section 104(d), and as stipulated in 24 CFR 570.606, to each lower-income household displaced by demolition or conversion of a lower-income affordable dwelling unit as the result of an assisted activity. A lower-income household is a household where total income does not exceed the HUD lower-income limit (80% of area median) as established by HUD.

In adopting a RARAP, the County is required to identify, by name and phone number, the office that is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by demolition or conversion of lower income affordable housing to another use. For relocation payments and other relocation assistance for Orange County, please contact:

Aaron Cohen, Community Development Manager
Phone Number: 919-245-2491
Email: acohen@orangecountync.gov
Office Hours: 8 am – 5 pm
Office Address: 300 W. Tryon St, 3rd Floor, Hillsborough, NC 27278
Mailing Address: PO Box 8181, Hillsborough, NC 27278

Appeals Regarding Assistance and Agency Determinations

Assistance, or lack thereof, that can be appealed may include the person's eligibility for, or the amount of, payments required for moving, replacement housing or commercial re-establishment. Any person who believes he/she has been displaced for a federally assisted project may file a written appeal with the County. If a person believes that the County has failed to properly consider the person's application for assistance under the Uniform Act or section 104(d) of the Housing and Community Development Act, by denying benefits, an appeal should be sent to, and will be reviewed by, the County. Appeals should be directed to:

Travis Myren, County Manager Phone
Number: 919-245-2300
Office Hours: 8 am – 5 pm
Office Address: 300 W. Tryon St, 2nd Floor, Hillsborough, NC 27278

Mailing Address: PO Box 8181, Hillsborough, NC 27278

The County will accept written appeals that are received within 15 days after its determination on a person's claim. The County will promptly review appeals in accordance with the requirements of applicable law and 49 CFR Part 24.10 of the Uniform Act regulations.

A person may inspect and copy all materials pertinent to his or her appeal, except materials that are classified as confidential. The person's right to inspect these documents will be consistent with applicable laws, and the opportunity to inspect will be made available under reasonable conditions, and during the County's regular business hours, 8 am – 5 pm (except holidays). An advance notice to review a person's records is required in order to arrange for staff to be available to assist with the inspection, and to ensure that the necessary and appropriate records are available and on hand.

In deciding an appeal, the County will consider pertinent justification and material submitted by the person, to ensure a fair and full review of the appeal will be considered. If the full relief is not granted, the person shall be advised of his or her right to seek judicial review of the decision. If the displaced person is still not in agreement with the determination, the County may direct the person to the regional HUD Office of Community Planning and Development for a review of the appeal and determination. The address of the regional HUD Office of Community Planning and Development is:

U.S. Department of Housing and Urban Development
Office of Community Planning and Development
1500 Pincroft Road, Suite 401
Greensboro, NC 27407-3838
Telephone: 336-547-4000
Attention: Director, Office of Community Planning and Development

All persons are reminded that they have a right to be represented by legal counsel or other representatives in connection with his or her appeal, but solely at the person's own expense.

Replacement of Lower-Income Housing

If you have questions regarding the replacement of lower-income affordable housing, please contact:

Aaron Cohen, Community Development Manager
Phone Number: 919-245-2491
Email: acohen@orangecountync.gov
Office Hours: 8 am – 5 pm
Office Address: 300 W. Tryon St, 3rd Floor, Hillsborough, NC 27278
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