

St. Clair County Residential Anti-Displacement & Relocation Assistance Policy

Purpose and Summary

This policy outlines St. Clair County's commitment to minimizing displacement and ensuring appropriate relocation assistance in connection with HUD-funded activities under the HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) Program, and Urban Development Action Grant (UDAG) Program. It is designed to comply with federal requirements and regulations.

Regulatory Authority and Program Applicability

Section 220(b) of the [Housing and Community Development Act of 1992](#) of 1992 amended section 105(b) of the [Cranston-Gonzalez National Affordable Housing Act](#) to require a participating jurisdiction (PJ) and Entitlement Communities to certify as part of its Comprehensive Housing Affordability Strategy (CHAS) that it is following a Residential Anti-displacement and Relocation Assistance Plan (Plan) under its [HOME Investment Partnerships Program](#) (HOME) that is equivalent to the Plan required for the [Community Development Block Grant Programs](#) (CDBG) Program under section 104(d) of the Housing and Community Development Act of 1974 (1974 Act).

The requirement that a PJ/ Entitlement certify that it is following a Plan under the HOME Program has been incorporated into the CHAS regulation ([24 CFR Part 91](#)) through a Final Rule published March 12, 1993.

The requirements for a Plan under the CDBG, [Section 108 Loan Guarantee Program](#), and the Urban Development Action Grant (UDAG) program are set out in [24 CFR Part 570.606\(c\)](#). Under the Plan, a recipient of HOME or CDBG assistance must:

- 1) Identify the reasonable steps it will take to minimize the displacement of families and individuals from their homes as a result of an assisted project.
- 2) Replace all occupied and vacant occupiable "lower income housing" that is converted to a use other than "lower income housing" or is demolished for a project.
- 3) Provide relocation assistance to lower income families and individuals displaced as a direct result of the conversion of lower income housing or the demolition of any housing for a project.

To ensure consistency in the application of residential anti-displacement and relocation assistance requirements across HUD programs, agencies must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) at [49 CFR Part 24](#) and [Section 104\(d\) of the Housing and Community Development Act of 1974, as amended \(see 42 USC 5304\(d\)\)](#), as implemented in [24 CFR Part 42](#). These requirements apply to the HOME, CDBG, and UDAG programs.

Removal of Dilapidated Housing

The current rule, applicable to the CDBG Program, requires recipients to replace vacant, dilapidated housing that is not suitable for rehabilitation if the unit was occupied at any time within the period beginning one year before the execution of the contract covering the demolition. The current rule has the effect of preventing or delaying the demolition of run-down vacant buildings that are a danger to the public health and safety. For this reason, and because the removal of vacant, dilapidated housing that is clearly not occupiable does not diminish the available useful supply of lower income housing, the 12-month period would be reduced to 3 months.

HUD guidance allows grantees to document the service area benefiting from demolition activities to demonstrate compliance with the Low- and Moderate-Income Area Benefit (LMI) [CDBG National Objectives](#). Demolition may also be eligible under clearance activities when aligned with public health and safety goals.

Homeless Shelters and Other Public Facilities

Under current policy applicable to the CDBG program, changing lower income housing into overnight emergency shelters, nursing homes, battered spouse shelters, halfway houses, group homes and transitional shelters constitutes "conversion" even if the "market rent" of the shelter housing upon completion of the project does not exceed the Section 8 FMR.

HUD continues to treat such conversions as subject to [Section 104\(d\)](#) requirements. Jurisdictions must ensure that replacement housing is provided when required and that conversions align with the housing needs and priorities identified in the HUD-approved [Consolidated Plan](#).

St. Clair County Residential Anti-Displacement & Relocation Assistance Plan

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, **[jurisdiction/entitlement]** will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- ❑ Coordinate code enforcement with rehabilitation and housing assistance programs.
- ❑ 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.
- ❑ Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- ❑ Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- ❑ Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- ❑ 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.
- ❑ 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.

¹ CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

- ❑ Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- ❑ If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in [24 CFR 42.305](#)).
- ❑ Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

[Jurisdiction/ Entitlement] will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the [CDBG and/or HOME] Program[s], 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 42.305](#). 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](#).

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

The **[jurisdiction/ entitlement]** will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the [CDBG and/or HOME] Program[s] in accordance with [24 CFR 42.375](#).

Before entering into a contract committing **[jurisdiction/ entitlement]** to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, **[jurisdiction/ entitlement]** will make public **by [describe how, such as publication in a newspaper of general circulation]** and submit to HUD **[the State, under the State CDBG and/or HOME Program(s)]** 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 dwelling units that will be demolished or converted to a use other than as lower-income dwelling units 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 lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income

housing that has been or will be provided. *NOTE: See also [24 CFR 42.375\(d\)](#)*

5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1- 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 HUD-approved Consolidated Plan and [24 CFR 42.375\(b\)](#)

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, [jurisdiction] will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under [24 CFR 42.375\(d\)](#) the [jurisdiction/ entitlement] may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower- income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The [name and phone number of the office] is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The [name and phone number of the office] is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Revision History

Revision Date	Description
Revisions adopted	9.2.2025