

# Heritage Park Relocation Plan

---



## Raleigh Housing Authority

June 1, 2024

# Table of Contents

I.	Introduction.....	3
II.	Relocation Plan Overview .....	3
	Meetings.....	4
	Resident Notifications.....	4
	Notices to Vacate .....	5
III.	Eligibility for Relocation Assistance .....	6
	Non-Eligible Residents.....	6
	Split Households.....	7
	VAWA .....	7
IV.	Relocation Assistance and Payments.....	8
	Relocation Payments.....	8
	Additional Relocation Assistance.....	9
V.	Relocation Housing Choices.....	10
	Transferring within RHA Public Housing.....	11
	Relocating under a Section 8 Voucher.....	11
	Staggering the Relocation.....	13
VI.	Relocation Team .....	13
VII.	Returning Residents .....	13
	Right to Return .....	14
	Preference for Returning Residents .....	15
	Return Moves.....	15
VIII.	Record Keeping .....	15
IX.	Appeals Process .....	16
X.	Anti-Discrimination .....	17
	Reasonable Accommodations .....	17
XI.	Terms and Definitions.....	17

## I. Introduction

The Raleigh Housing Authority (RHA) owns and manages the [Heritage Park](#) community located off Dorothea Drive in downtown Raleigh. Sitting on 11.61 acres of land, Heritage Park is made up of 122 residential apartments which range from 1 to 5 bedrooms in size. Built in the 1970s, Heritage Park has become increasingly more difficult and costly to maintain to the standards required by RHA.

It is RHA's intent to redevelop this community for several reasons, including to increase the quality and quantity of affordable housing in a way that will most benefit its residents, while making a positive contribution citywide. Building more units equals more affordable housing choices for Raleigh residents. RHA will also include non-residential spaces to offer residents a greater range of services and retail opportunities within Heritage Park. To accomplish this, residents will be required to relocate during the redevelopment process.

This Relocation Plan has been developed with input from residents and the community. RHA will continue to seek input from the residents as we move through the relocation process. Interested service providers and other community representatives will be able to provide input. While it is not possible to predict all of the relocation issues that will arise, RHA will attempt to handle all issues fairly and consistently without bias.

## II. Relocation Plan Overview

The purpose of this Plan is to establish the standards for the relocation of households residing in Raleigh Housing Authority's Heritage Park community. To implement the redevelopment of Heritage Park, all households will need to be temporarily or permanently relocated to comparable dwellings. Throughout this process, resident rights and protections will be provided largely following the [Uniform Relocation Assistance and Real Property Acquisition Act \(URA\)](#). However, RHA is not required to follow the URA for Section 18 projects, meaning that this Relocation Plan and its offerings differ from the URA at various points. In addition to [HUD requirements](#), RHA's relocation efforts will seek to minimize the impact of relocation.

RHA plans to use a combination of resources to provide comparable dwelling units, relocation advisory services, and case management. The residents will be consulted regarding their housing requirements and preferences and counseled to identify and address any special needs.

Comparable dwelling units can include:

- Other public housing communities owned and managed by RHA,
- Developments subsidized with project-based Section 8 Vouchers,
- Tenant-based Section 8 Vouchers,
- Homeownership housing, and
- Tenant Protection Vouchers.

Except when a person is evicted through appropriate court action, residents will not be required to move from a unit for projected actions until they have been:

- a. Provided with all proper notices,
- b. Offered a reasonable and comparable housing unit that is decent, safe and sanitary at rents not higher than permitted under current Housing Authority standards, and
- c. Provided with at least 90 days' notice to vacate their unit and provided adequate relocation assistance to do so.

## **Meetings**

RHA will continue meeting with residents numerous times throughout the redevelopment process, both in group settings and individually. Residents will be afforded the opportunity to voice their opinions and provide input into the development of the community and their relocation. In the event that space is limited during group meetings, RHA may limit attendance to heads of households or co-heads listed on a Heritage Park [lease](#) agreement.

Depending on meeting spaces and availability, guests may be included in resident meetings, including contractors, architects, and other interested partners to help provide a more hands-on process. Interested service providers and other community representatives are also encouraged to provide written input and comment.

Meetings will include counseling to answer questions and provide information on moving options. Services offered in the various programs and communities will be explained to residents. RHA will provide written materials at meetings to assist families with making their relocation choice. Once all options have been fully explained to the residents and individual meetings have occurred, residents will be given a list of comparable units based on their needs and preferences.

## **Resident Notifications**

All households will be provided with written notices throughout the relocation process. Each notice will be written in plain, understandable language. Persons who are unable to read and/or understand the notices will receive appropriate assistance to ensure effective communication. RHA will utilize multiple formats to distribute notices to ensure that everyone has an equal opportunity to participate and be informed.

At specific times before and during the relocation process, formal notifications will be sent to residents. These formal notices may include:

- 90-Day Notice to Vacate. Written notice provided at least 90 days in advance of the resident's move that identifies potential replacement units and calculated replacement housing payments based on the comparable unit.
- 30-Day Notice to Vacate. This notice will be given 30 days before the resident's move date and will identify a permanent relocation unit. Staff will work with the household to

determine this unit. The notice will also outline their move choice and any additional information or steps.

- Eviction Notice. An eviction notice will be given only if substantial lease violations exist. Staff will attempt to resolve any issues that would result in an eviction prior to the 90-day Notice to Vacate. If a resident is evicted for lease violations, they will lose eligibility for relocation assistance. RHA will not give eviction notices to circumvent the regulatory services and protections afforded to residents.
- Notice to Return. RHA will notify residents in writing when the completed project is expected to be available for return. This notice will be provided reasonably in advance of the anticipated date.

Formal notices will be provided by personal delivery or via certified and registered first-class mail, return receipt requested. Residents will be required to sign for formal notifications to ensure that every household has received the appropriate notices. RHA will retain these notices and signatures according to the Record Keeping portion of this Plan.

In addition to formal notices, RHA will utilize common communication methods to help distribute information including but not limited to: displays, handouts, flyers, website posts, newsletters, emails, phone calls and text messages. RHA will send a Project Update Notice at least every 6 months updating relocated residents on the demolition and reconstruction of the development.

### **Notices to Vacate**

Each household will receive a 90-Day Notice to Vacate before being required to move. Residents should not move until they have received the 90-Day Notice to Vacate unless they qualify as an early mover. This notice will specify the services available and the steps necessary to begin the actual relocation process. It will also indicate the location of the replacement housing available.

RHA will issue a 30-day Notice to Vacate to residents who remain on-site at least 60 days after the initial Notice to Vacate was provided. This notice will advise residents of the specific date by which they will be required to vacate the property. This notice will be provided no later than 30 days prior to the date the residents must vacate their unit.

Vacate Notices will be issued by building and as appropriate comparable units become available. The availability of public housing units and efforts to locate non-public housing units that accept vouchers will play a significant role in how long this process will take. RHA cannot control the speed of the relocation and reserves the right to move faster or slower as the situation dictates.

### III. Eligibility for Relocation Assistance

In order to receive relocation assistance, residents must have an active Lease agreement at Heritage Park when RHA receives Section 18 approval from HUD. Residents will be required to be in “good standing” with their Lease, be making monthly [rental payments](#) as scheduled, and continue to meet Lease requirements throughout this process. The demolition and reconstruction of Heritage Park does not free either RHA or residents from following all obligations in the Lease.

#### **Early Movers**

Residents can sign up to be an “early mover” and those designated as such will be eligible to receive full relocation assistance even if a new lease agreement has been executed before RHA receives HUD approval. Early movers will be eligible for full relocation benefits and assistance according to the following:

- RHA will deem any family who voluntarily relocates between the May 20, 2024 resident meeting and the issuance of a 90-day Notice as an early mover.
- Early movers will receive the same moving assistance as those who wait.
- RHA will offer early mover relocation assistance on a first-come-first-served basis and reserves the right to limit early movers if necessary.
- Households will only be considered an early mover if they enter into a new Lease Agreement during the eligible period.

#### **Non-Eligible Residents**

Residents are considered ineligible for relocation assistance if they fall into one of the categories below.

##### Evicted Households

A household will lose its right to relocation assistance and to priority status for re-occupancy at the new Heritage Park if, at any time before actual relocation, the resident is evicted for failure to maintain lease compliance. If a termination notice for lease violations or other misconduct is pending at the time of relocation, the outcome of the eviction process will determine the household's eligibility for relocation assistance.

If RHA withdraws the termination notice or an eviction is not upheld, the household will receive relocation assistance. RHA may delay any relocation assistance pending the outcome. However, if the demolition schedule necessitates relocation before the resolution of the eviction process, RHA will transfer a resident to another public housing unit under a Memorandum of Understanding pending the outcome of the termination.

Any families facing eviction may contact Raleigh Housing Authority to request assistance with the disputed lease infraction. Staff will make every effort to ensure that Heritage Park families

are able to remain lease compliant and maintain their housing assistance and the ability to return.

### Undocumented Immigrants

Persons who are not lawfully in the United States are not eligible for relocation assistance. RHA may request a certification that each household member is either a citizen or national of the United States or an immigrant who is lawfully present in the United States. The head of household must sign for all household members. Adult household members may also certify for themselves.

RHA will consider the certification to be adequate evidence of lawful residence unless it has good reason to believe that the certification is untrue. In that event, RHA will require adequate evidence of lawful residency. If a household member is not eligible for relocation assistance under this section, RHA will provide relocation assistance to the household by counting only those members who are lawful residents of the United States.

### Unauthorized Occupants

Individuals living at Heritage Park who are not on a lease are unauthorized occupants and not considered to be members of the household. Unauthorized occupants may be added to the Lease in cases of exceptional hardship or as an approved [reasonable accommodation](#) to address a disability of an authorized occupant only if:

- The unauthorized person is eligible for the program.
- The unauthorized person passes normal resident selection criteria **and**
- The household can demonstrate to RHA's satisfaction that the exclusion of the unauthorized person would cause exceptional and unusual hardship to a lawful resident.

Unauthorized occupants who are added to a lease may be included in RHA's offer of comparable relocation housing options and in the relocation assistance without penalty. In no case will an unauthorized occupant be allowed to split into a separate household.

### **Split Households**

Each eligible household is entitled to only one relocation benefit packet. The splitting of a household into more than one unit for relocation purposes will be permissible when multiple adult members of the household qualify under occupancy guidelines. The splitting of households will be allowed on a case-by-case basis and only for four- and five-bedroom households that can demonstrate good cause for doing so. In such rare cases, relocation benefits may be prorated accordingly and reasonably.

### **VAWA**

RHA takes the safety and security of its residents very seriously including those impacted by domestic violence, dating violence, sexual assault, or stalking. Individuals who are relocated under the Emergency Transfer Plan after Section 18 submittal but before HUD approval is

received will still be considered as a Heritage Park resident and eligible for the same benefits and rights to return to the site upon completion.

## IV. Relocation Assistance and Payments

RHA is applying to redevelop Heritage Park under a [Section 18](#) Demolition and Disposition application to HUD. While the demolition of the public housing under Section 18 is not subject to the URA, RHA still intends to provide residents with relocation assistance payments following URA guidelines.

Relocation payments will be provided based on applicable guidance and must be used for allowable moving expenses and associated costs. Everyone in occupancy and in good standing at the time of Section 18 application will be eligible for relocation assistance. In order to receive these funds, residents must complete the necessary claim forms and submit them to appropriate RHA staff. RHA Relocation staff will assist with the completion of forms if needed.

### Relocation Payments

Residents will be allowed to receive relocation assistance payments in two ways. RHA will explain the pros and cons of each option and allow residents to choose to receive funds in the way best suited for their household. The moving payment will be issued to the family after the resident has decided on a relocation choice, selected a payment method, and submitted all required claim forms.

- Actual Moving Costs – Residents may choose a self-move and request reimbursement for the actual, reasonable cost of the move. Costs must be approved in advance by RHA for residents not electing to take the flat fee. Residents must provide receipts for reimbursement to their Relocation Specialist.
- Flat Fee for Moving – Flat fees will be provided based on the URA and by the size of the unit. Residents should note that the flat rate is to cover all moving expenses. This means the amount set in the [Flat Fee Schedule](#) is the only payment residents will receive despite actual expenses.

	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms
Flat Fee Option	\$820	\$1,151	\$1,312	\$1,476	\$1,749

Flat fee amounts are based on the Uniform Relocation Act. The figures above have been found using the total number of rooms of furniture in a unit which equates to bedroom size plus one for living space. An additional 3% has been added for each year since the last URA update in 2021 to account for inflation.



Relocation payments do not count as income towards rent. Payments will be processed within 30 days' time after the resident has vacated their unit as signified by turning in their keys to the Management Office.

### **Additional Relocation Assistance**

While the Uniform Relocation Act sets a standard threshold for relocation assistance, it is RHA's intent to provide additional assistance to Heritage Park residents. Relocation Staff will provide relocation advisory services and mobility counseling by conducting a comprehensive relocation needs assessment survey with each household in whatever format makes residents feel most comfortable including by phone, in-person, or virtually. These benefits will be provided as reasonable, and on a case-by-case basis depending on each household's needs.

The following forms of assistance may be offered to relocated residents above and beyond those required under the URA:

Application fees. RHA staff will work with private landlords and request application fees be waived as feasible.

Expedited Security Deposit Return. For residents exiting the public housing program, full security deposits will be transferred within 30 days of the date that keys are turned into the Management Office provided that the unit is left free of willful damage. RHA may provide a faster turnaround of the security deposit upon request and if needed for relocation.

Funding Advancement. RHA will consider advancing some of the family's financial assistance payment if advanced access is needed for legitimate moving expenses. Pre-approval must be obtained from RHA pending the verification of good cause.

Occupancy Standards. Resident bedroom size for relocation will be based on household composition at the time of the 90-Day Notice. RHA may waive or alter occupancy standards as needed to assist relocating families.

Packing Assistance. Contractors may be used to pack and unpack for the elderly and disabled families physically unable to complete this task.

Packing Supplies. RHA can provide a reasonable amount of boxes and packing materials upon request.

Ready to Rent Program. Classes will be held on-site to help families identify and resolve issues that may limit their success as a renter.

Security Deposits Amounts. Residents transferring to another RHA public housing property will automatically have their deposit transferred to their new unit and will not be required to pay any additional security deposit monies.

Splitting of Households. RHA will allow large families to split into multiple subsidized households during relocation if it is determined to be in the best interest of all family members.

Transportation. RHA may provide transportation to show the location of comparable housing. Transportation can be provided in various forms including by bus, through a community partner, by staff or another way as deemed appropriate.

Utility Counselling. Staff will help residents set up a repayment agreement with utility companies for any unpaid or past due balances. Additionally, information regarding funds or other services may be provided to assist residents with outstanding balances.

Utility Deposits. Staff will work with families to obtain any utility deposit amounts required for relocation and residents can use moving funds to cover these amounts. Additionally, RHA may provide an additional payment to cover utility deposits if these funds do not sufficiently cover utility deposits.. This payment may be considered temporary, and residents could be asked to return any funds RHA paid towards a utility deposit above the flat fee amount at the time the resident moves out of their replacement unit.

## V. Relocation Housing Choices

RHA will offer available comparable unit options to residents to make this transition as easy as possible. The benefits, qualifications and responsibilities vary depending on the type of replacement housing the family chooses. Residents are encouraged to give ample consideration to the options offered and their personal circumstances.

A comparable unit is:

- Decent, safe, and sanitary meeting all Housing Quality Standards,
- Functionally equivalent and equal to or better than the resident's current unit,
- Available to rent,
- Affordable at the resident's income level,
- Reasonable accessible to the resident's place of employment,
- Generally well located with access to schools and commercial services, and
- Available to all persons regardless of protected class status.

Current Heritage Park residents will have the following paths for relocation:

- 1) Relocate to another RHA managed housing community.
- 2) Receive a Section 8 voucher and leave the public housing program, or
- 3) Relocate to a development with units receiving Section 8 project-based assistance.

Each household will be required to complete a relocation packet that RHA will use to plan for relocation. This packet will gather information relating to the resident's relocation choice and preferences that RHA will use to identify housing units if the resident opts to stay within an RHA managed housing program.

Residents using a voucher may need to meet and pass screening criteria for occupancy by private landlords. Many landlords check credit and rental references. Staff will work diligently to provide accurate information and overcome any obstacles this may create for the family. RHA will provide a positive reference if merited, however RHA cannot conceal negative rental information. RHA will provide a reference on payment history and general tenancy.

### **Transferring within RHA Public Housing**

RHA owns, manages and maintains assisted housing within its [public housing program](#). RHA public housing is comprised of a mixture of bedroom sizes and amenities located across 12 different [communities](#) and over 100 scattered site homes. Heritage Park residents who wish to move into another public housing unit will be asked to complete a survey and provide three public housing locations where they would prefer to live. Residents may choose a comparable unit at any of the public housing locations. Residents will be provided with additional unit information prior to having to make their relocation selection. Incentive based qualifications will be waived for relocating families.

Once the resident has provided their preferred public housing locations, RHA will make every effort to place the family in one of these locations, depending on unit availability, family size, and any disability related needs. The availability of public housing units will determine the timing for the issuance of the 90-Day Notice to Vacate for those families choosing public housing for their relocation. If two or more families want the same unit in the same development, the month and date of their original move in will determine who gets the unit first. RHA can only offer units in locations where there are vacancies.

Once a suitable unit has been identified and offered, the resident will have three working days to accept the unit offered. Upon acceptance of the new unit, residents will have 21 calendar days to complete the move. If the resident has good cause to refuse a unit, RHA will attempt to identify an alternative appropriate unit. If a unit is refused without good cause, RHA may start the eviction process.

Security deposits will be transferred to the new location if the resident leaves their unit free of willful damage. No additional security deposits will be collected for families transferring within the RHA public housing program.

### **Relocating under a Section 8 Voucher**

RHA currently operates voucher-based assistance through the [Section 8 program](#). Through this program, qualified individuals and families seek rental housing on the private market. Landlords screen applicants following their own criteria and may accept an RHA voucher to provide rental subsidy to ensure the unit is affordable to the family. Residents will still need to

meet and pass any screening criteria the landlord has for occupancy. Voucher recipients will enter into lease agreements directly with the landlord.

Displaced families choosing to relocate under Section 8 will be given at least 90 days to find appropriate housing. During this time, staff will be made available to assist the family throughout this process. Families having difficulty locating a unit should contact relocation staff to secure additional assistance.

Extensions will be considered in situations where the family has not been able to secure a unit through no fault of their own. If a family is still unable to secure a unit under the voucher program within the time frame, then a comparable public housing unit will be provided to them. In no case will a resident receiving a voucher lose housing assistance if they are unable to find suitable housing under the Section 8 program.

Residents will need to attend mandatory meetings. At these meetings, staff will provide explanations of the differences between public housing and the voucher program including financial differences, rules of the programs, responsibilities of RHA, the landlord, and the resident. Relocation vouchers will be issued after completion of all mandatory meetings. RHA may issue vouchers in smaller groups to not put everyone in a position of competing with each other.

Voucher assistance may be used anywhere in Wake County including other towns and areas outside of Raleigh. Families are encouraged to shop around and negotiate with landlords for the best unit at the most affordable rents to ensure long term affordability. Residents should seek out well-maintained units in neighborhoods where they would like to live. By choosing a well-maintained unit, the family increases the chances of the unit passing the HUD-required inspection.

RHA remains open to any situation where a person has found a unit of their choice and a landlord that will take the voucher. In this case, RHA would likely go ahead and issue the voucher to prevent the resident from losing the unit. RHA will require a written statement from the landlord to verify this situation. RHA staff will employ the various tools available to them to advocate on behalf of families receiving vouchers to ensure the highest utilization rate possible.

### Homeownership Exception

RHA will provide up to \$5,000 in down payment assistance to any households that buy a home during the relocation process. Residents must meet with a mortgage representative within 30 days of the receipt of the 90-Day Notice to Vacate to determine if they qualify to obtain a mortgage on their own without RHA subsidy. Down payment assistance will be provided to the resident at the time of their home closing.

If a resident chooses to purchase a home during relocation, the \$5,000 downpayment assistance will constitute their full moving benefit. These residents will not be eligible to receive financial assistance to come back on-site once the project is completed. Residents who move into homeownership and then return to the site as a renter after completion will be eligible to receive returning resident preference.

## **Staggering the Relocation**

RHA will stagger resident relocation to prevent one family or individual from being left alone in a building whenever possible. RHA may also issue vouchers in smaller groups at staggered times. RHA does not want to put Heritage Park residents in a position of competing with each other. Additionally, staggering relocation will allow the RHA staff to focus its counseling efforts on one group at a time.

## **VI. Relocation Team**

RHA will provide a Relocation Team that will work closely with on-site management staff to ensure residents are given notifications, housing search counseling, data tracking and other relocation services needed for successful rehousing. This team will consist of a Relocation Manager and multiple Relocation Specialists. These positions will help minimize the impact of relocation on Heritage Park families and will be maintained throughout the entire activity period including through the re-occupancy of the project.

At the time that Section 18 approval is received, each family will be assigned to a designated staff person as their primary point of contact. Relocation Specialists will meet with the heads of households to explain relocation options and types of assistance available including but not limited to physical moving options and available resources. During one-on-one consultations, staff will also identify the needs and preferences of the residents, obtain contact information and the best times they can be reached, and identify any accommodations and special needs. Staff will work with residents throughout the entire relocation process to ensure access to benefits and services, remove barriers to successful relocation, and coordinate physical moves.

Alongside the Relocation Team, residents will interact with other program staff, including those from different programs and departments. Leased Housing staff may assist with assessing eligibility and issuing vouchers, provide outreach and training for new voucher holders, and administer all related program requirements. The on-site management staff will be available to explain the relocation processes and timelines, and to make internal referrals that will ensure resident needs are being addressed under this plan. Staff persons at the development office are available to residents for questions, referrals and packing materials.

RHA will involve any case managers that residents may have such as mental health workers, child protective services, or substance abuse workers. RHA will need to rely on the residents for this information and for the authority to release related information.

## **VII. Returning Residents**

Heritage Park residents who are relocated due to the rebuilding of the site have the right to return to the community once it is completed. Relocated residents will be required to submit a

completed application to return and will be allowed to apply to the waiting list prior to it being open to the public. All residents who wish to return and have been lease-compliant throughout the relocation period may return to Heritage Park.

RHA will begin notifying residents of their option to return upon receipt of the Certificate of Occupancy by the City of Raleigh. Notices will be sent via certified mail to the last known address of each resident. While RHA will make every effort to track relocated families throughout the redevelopment process, families must continue to notify RHA of any contact information changes so that they can be easily reached. Households that do not do this, and as a result do not receive a Notice to Return, may lose their rights to re-occupancy under this Plan. In that event, they may apply to live at the new development as a regular applicant.

It is important to note that market rate and affordable units may be constructed alongside replacement housing units. The right to return applies to the site as a whole and residents will be directed to apply for and occupy whichever unit or program best fits their family's circumstances at the time the Certificate of Occupancy is received. The right to return is not a right to any specific unit.

Returning Resident status will offer additional advantages including:

- First opportunity to apply - Returning residents will be allowed to submit a housing application before the waiting list is open to the public.
- Returning Resident preference - This preference will help ensure that returning residents are prioritized for housing at the redeveloped Heritage Park. Returning resident preference will be applied for up to one year after the new site begins leasing.

### **Right to Return**

The following criteria will be considered when approving housing applications for the redeveloped Heritage Park:

- Complete application with all necessary signatures and supporting documents. Applications cannot be processed for approval if they are not complete or missing information.
- Income qualification. Applicants must income qualify for assisted units by having an annual income that falls within established [income limits](#). Should a returning resident be outside of the required income limits, they may be directed to occupy a non-assisted unit.
- Citizenship/eligible immigrant status. Applicants must meet citizenship/eligible immigrant status for housing.
- Criminal convictions. Applicants will be screened for violent and drug related criminal convictions that occurred within the established time frames in accordance with [Administrative Plan](#) and [Admissions and Continued Occupancy Policy](#).
- Sex offender status. Applicants will be screened to ensure they are not currently listed on any state's sex offender registry.

- Credit history/rental status. Applicant credit history/rental status will be reviewed and consideration will be given only to items related to housing and utilities. Credit scores and other non-housing items will not be considered.

All current Heritage Park residents have met these criteria and should maintain these standards for future housing opportunities.

### **Preference for Returning Residents**

When the new units are ready to be leased, a returning resident will be given priority to lease before any other eligible households, regardless of work or other preference status. Residents will be eligible to receive this preference for up to one year after leasing begins.

If the resident chooses not to return to the completed development, they may keep their current housing assistance as long as they continue to qualify. Residents who have an active Heritage Park lease agreement on the date of Section 18 application submittal and early movers will be considered eligible for this preference. Preference points will be added to the application once staff confirms the household qualifies.

If a household splits during relocation, the original head of household will have the first right to return. Once all the original heads of households have been housed, RHA will offer the second household any units that are available. If no units are available, then the second household will be moved to the top of the Heritage Park waiting list. Both the original and second households are required to be lease-compliant at the time of relocation and throughout relocation. Once all eligible Heritage Park residents have been given the chance to return, RHA will begin leasing any vacant assisted units to other eligible households.

### **Return Moves**

RHA will provide payment to relocated residents moving back to Heritage Park to minimize any obstacles experienced when exercising the right to return. The same payment standards listed above will apply to return resident moves including an annual 3% adjustment to the URA flat fee amounts to adjust for inflation. For the return move and/or qualifying intervening moves, RHA retains the right to choose the methods of moving the household. Families who received homeownership assistance at the time of relocation are exempt from return move assistance.

## **VIII. Record Keeping**

Resident relocation records are confidential, and staff will not disclose them without resident consent. RHA will maintain records of each household, as required by law, for a period of at least 3 years after the development of the community has been completed or the date required by the applicable program [regulation](#), whichever is longer. These records may only be made available if required by applicable law, or on the written request of an affected person, or for review by HUD.

A relocation tracking system will be employed by RHA to locate residents during and after relocation and throughout reconstruction. RHA will keep evidence verifying that all residents receive timely written notices regarding the following items: Relocation Plan, 90-Day Notice, Notice to Vacate, and other formal notices pertaining to the redevelopment process.

The tracking system will contain records for each household that includes but is not limited to:

- Names and addresses
- Social Security numbers
- Language(s) spoken
- Required bedroom count
- Family composition
- Special needs of the family, including disability and reasonable accommodations
- Record of units offered, date and location
- Section 8 and public housing certifications as applicable
- Rent and income
- Copies of claims for moving and related expenses
- Any and all other information in enough detail to be compliant with all HUD applicable relocation policies and regulations as outlined in [HUD's Relocation Handbook](#).

## IX. Appeals Process

Residents who are subject to relocation may request a review of any RHA determination concerning eligibility for relocation benefits, the amount of a relocation payment, the suitability of the referred housing, or other complaints related to the relocation process. Residents will have 60 days after the date of a disputed action or notice to file an appeal.

Written appeals should be made to the Raleigh Housing Authority and can be mailed to or dropped off at 900 Haynes Street between the hours of 8:30 AM and 5:00 PM, Monday through Friday. Any complaints should state the name and address of the person making the complaint, nature of the problem and the action or relief sought. RHA staff will assist anyone needing help in putting their concerns into writing.

Upon receipt of the written appeal, a relocation dispute meeting between the resident and RHA staff will be scheduled within 15 business days. Residents may be represented at the meeting by a person of their choice and at their own expense. Interpreters will be provided by RHA on request.

A written decision will be issued by the Relocation Manager within 10 business days from the meeting date. If the resident is dissatisfied with RHA's decision, further redress can be sought



through the courts. Appeals regarding relocation can only be based on a dispute about the level of relocation assistance and not on the requirement to vacate the unit. If a resident is uncooperative and refusing to vacate by the end of their time allotted, RHA will pursue eviction action per its standard eviction procedure.

## X. Anti-Discrimination

RHA will comply fully with [Title VI of the Civil Rights Act of 1964](#), [Title VIII of the Civil Rights Act of 1968](#), [Executive Order 11063](#), [Section 504 of the Rehabilitation Act of 1974](#), and any legislation protecting the individual rights of residents, applicants or staff, which may be subsequently enacted. No one will be discriminated against because of any protected class status including race, color, age, religion, sex, familial status or disability. RHA will use flexibility and judgment when encountering issues unique to specific families that cannot easily be addressed in a policy.

### **Reasonable Accommodations**

Persons with a disability may make a reasonable accommodation request in accordance with RHA's [Reasonable Accommodation Policy](#). Residents will have an opportunity to make reasonable accommodation requests to staff at any time during relocation including at meetings and during interviews. RHA may require the person with the disability to provide verification that the person has a disability and explain how the requested reasonable accommodation will address the disability if it is not obvious or previously known.

Reasonable accommodations include but are not limited to: moving to a unit with specific modifications or accessibility; installing accessibility features to an RHA owned unit; providing assistance with understanding documents, procedures and program requirements; providing documents in alternative formats; and providing a sign-language interpreters to a hearing-impaired resident when conducting meetings and interviews.

## XI. Terms and Definitions

**Accessible:** A facility or portion of a facility can be approached, entered, and used by persons with disabilities.

**Affordable housing:** Housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities.

**Appeal:** A challenge to a determination and request for a potential change in findings.

**Comparable Unit:** Housing that is offered to a relocating family that is comparable in size and amenities to the unit currently being occupied.

**Density:** The amount of development and units located within the site.

**Early Mover:** A household that moves before the Housing Authority issues their 90-day Notice to Vacate.

**Eviction:** A legal action taken by an owner to remove a tenant from housing.

**Eviction Notice:** A written notice to tenants that the landlord plans to file for eviction unless the tenant moves out first.

**Family:** Includes but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- A family with or without children (the temporary absence of a child from the home due to placement in foster care is not considered in determining family composition and family size),
- An elderly family or a near-elderly family,
- A displaced family,
- The remaining member of a tenant family,
- A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

**Formal Notice:** Notice that is provided by personal delivery or via certified and registered first-class mail and signed for by residents.

**Good Standing:** Being in compliance with all Lease requirements, satisfying or are current on any debts owed the PHA, and in compliance with the regulations regarding participation in the relevant rental assistance program.

**Household:** All persons occupying the same housing unit, regardless of their relationship to each other.

**Informal Notice:** Notices provided by common communication methods including but not limited to displays, handouts, flyers, website posts, newsletters, emails, phone calls and text messages.

**Lease Agreement:** A written agreement between a landlord and a family that establishes the legal relationship and expectation of both parties during a specific period.

**Lease Compliant:** The act of meeting all the requirements and regulations established in the Lease.

**Meetings:** Two or more people come together to discuss topics. Meetings can occur individually or in a group setting, in-person or virtually.

**Non-Residential Space:** A space that provides more than one use within a shared building or development area. This may include any combination of office, retail, medical, recreational, commercial or other components.

**Notice to Return:** Notification to relocated residents that specifies when the reconstructed project site is expected to be available and ready to reoccupy.

**Occupancy Standards:** The standards established for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

**Permanent Displacement:** Relocation lasting longer than 12 months.

**Preference:** A tool used to prioritize and structure program waiting lists.

**Project-Based Housing:** Affordable housing program that provides rental housing in privately owned and managed rental units. The subsidy is tied to the building and not the family.

**Public Housing:** Affordable housing owned and operated by the government or Housing Authority rather than by private owners or landlords.

**Reasonable Accommodation:** A change, exception, or adjustment to a policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to participate in or take full advantage of a program or service, or to use and enjoy a dwelling, including public and common use spaces.

**Relocation Plan:** A document that guides the process for relocating residents.

**Replacement Unit:** The unit into which a displaced person moves.

**Right to Return:** Relocated residents' right to choose to return to and occupy the community once construction is completed.

**Section 18:** Section 18 of the 1937 Act governs Public Housing Agency activities to demolish or dispose of part or all of a public housing project.

**Security Deposit:** A fixed amount of money that is paid by the resident to the landlord to cover rent or any damage that may be caused to the property according to the Lease.

**Tenant-Based Voucher:** A document issued by a PHA to a family selected for admission to the housing choice voucher program.

**Tenant Protection Vouchers:** Vouchers provided to protect HUD-assisted families from hardship as the result of a variety of actions that occur in HUD's Public Housing, the Multifamily Housing portfolios, and Moderate Rehabilitation properties.

**Unauthorized Occupant:** A person residing in a unit who is not included on the Lease as part of the household.

**Uniform Relocation Act (URA):** The federal legislation that governs the rights and benefits of households forced to move due to activities utilizing federal funding.

**U.S. Department of Housing and Urban Development (HUD):** The federal agency that provides funding and administration of government-subsidized housing and development activities such as public housing.

**Utilities:** Water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection, and sewage services.