

JACKSON HOUSING AUTHORITY

RENTAL ASSISTANCE DEMONSTRATION (RAD)

RELOCATION PLAN FOR THE VILLAGES AT OLD HICKORY RESIDENTS

**550 Old Hickory Boulevard
Jackson, TN 38305**

October 2021



I. General Information

Purpose

The Relocation plan sets forth the policies and procedures to be utilized by the Jackson Housing Authority (JHA) and its Partners for relocation of residents from its public housing units located at the Villages at Old Hickory as a result of the conversion of public housing subsidy to Project Based Voucher (PBV) assistance under the Department of Housing and Urban Developments Rental Assistance Demonstration (RAD) program. The Relocation Plan adheres to the provisions set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (“URA”) and HUD Notice PIH 2014-17. This plan will ensure that displacement of residents will not differentiate the treatment of households based on race, nationality, color, religion, national origin, sex, sexual orientation, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, as well as any otherwise arbitrary, or unlawful discrimination. Which also includes but not limited to:

- 1. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the “Uniform Act” or “URA”), as amended, and its implementing regulations at 49CFR, Part 24;**
- 2. Fair Housing and Equal Opportunity Provisions:**
 - A. Title VI of the Civil Rights Act of 1964;**
 - B. Title VIII of the Civil Rights of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988);**
 - C. Executive Order 11063;**
 - D. Section 504 of the Rehabilitation Act of 1973;**
 - E. The Age Discrimination Act of 1975; and**
 - F. Title II of the Americans with Disabilities Act.**
- 3. Violence Against Women Reauthorization Act of 2005 (VAWA).**

Project Summary

The RAD program is an initiative of the Department of Housing and Urban Development (HUD) and is a funding mechanism that enables Public Housing Authorities to convert their public housing subsidy to a long- term project based Section 8 rental assistance contracts. JHA has submitted and been awarded a Commitment to enter into a Housing Assistance Payment (CHAPS) contract for the conversion of its public housing subsidy for JHA's 118 public housing units located in the Villages at Old Hickory under RAD's Project-Based Voucher (PBV) option. The development will be known as the Villages at Old Hickory II (TVOH II).

Project Name	RAD Units	Property Description	RAD Conversion	Relocation Required
TVOH II	118	Family	PBV	Yes

JHA anticipates the need to relocate all families currently residing in TVOH, the original RAD site, so that the renovation work may be completed. JHA has suspended move ins in an effort to consolidate vacancies. Also, internal transfers will be conducted to generate two vacant buildings (equaling 8 units) per the to-be-selected general contractor's plan of attack. JHA will pay all moving and associated costs consistent with URA. Additional internal transfers will be executed to move eligible households into renovated units and also to consolidate additional vacant buildings for the contractor. At this time no permanent relocation is expected to be necessary. However, JHA has been informed by Tennessee Housing Development Agency (THDA) that any over income families will be grandfathered in, therefore there will not be any over income families that would not qualify to return to the completed project.

II. Property Description and Demographics

The Villages at Old Hickory Unit Mix/Property Description			
Property Address	550 Old Hickory Blvd Suite 26A Jackson, TN 38305		
Total Number of Units	141		
Unit Sizes	2 BR	141	
Property Description	118 Public Housing Units LIHTC and 23 LIHTC units, serving families, seniors and disabled households. Property is located north east of Highway 45 Bypass in Jackson, TN.		

	Disabled Under 62	Disabled Over 62	Age 62 & Over	Age 18-35	Age 36-61	
Female	9	1	9	52	25	
Male	7	1	5	8	16	
	Max Income	Average Income	Lowest Rent	Average Rent		
Female	39900.00	13485.00	50.00	248.00		
Male	54852.00	13850.00	50.00	262.00		
	Single Household	0 Child Families	1 Child Families	2 Child Families	3 Child Families	4 Child Families
Female	28	11	32	17	8	0
Male	23	12	0	2	0	0
Income	HERA 50%	HERA 60%				
Female	15	84				
Male	4	30				

III Relocation

RAD Resident No Re-Screening Provision

Pursuant to the RAD statute, upon conversion, the current occupied households will not be subject to a rescreening of income, eligibility, criminal history, or credit. However, after conversion, residents will be subject to any ongoing eligibility requirements.

Resident Notices

Each household will receive written notice of the conversion. The written notices will ensure that all residents are aware of the conversion to RAD, the relocation process, their rights and any relocation assistance that is available to them. JHA will provide the following notices to all residents.

1. RAD/General Information Notice

This notice will inform residents of the PHA's plan to relocate residents and renovate the existing units and inform the following:

- Inform the resident that he or she may be displaced for the project and generally described the relocation payment(s) for which the resident may be eligible, the basic conditions of eligibility, and the procedures for obtaining payment(s);**
- Inform the resident that he or she will be given reasonable relocation advisory services, including referrals to replacement properties, if applicable, help in filing payment claims and necessary assistance to help the resident successfully relocate;**
- Inform the resident that if he or she qualifies for relocation assistance as a displaced person under URA, he or she will not be required to move without at least a 90 days advance written notice and inform any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available;**
- Inform the resident that any person who is an alien not lawfully present in the United States is ineligible for relocation payments unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying**

spouse, parent or child (see 49 CFR 24.208(h) for additional information); and

- **Describe the resident's right to appeal the PHA's determination as to a person's eligibility for URA assistance.**

This notice was provided to all residents at TVOH on September 25, 2020. Persons not in good standing will receive a modified General Information Notice informing them that eviction for cause may affect their eligibility for relocation payments.

2. RAD Notice of Relocation

This notice will inform residents that they will be relocated to facilitate the RAD conversion. It will be issued to all residents upon the receipt of the PHA's RAD Conversion Commitment (RCC) from HUD, which is the date of initiation of negotiations (ION).

The notice must conform to the following requirements:

- **Must state the anticipated duration of the resident's relocation.**
- **Must be provided at a minimum of 30 days prior to relocation to residents who will be temporarily relocated. Longer notices may be appropriate for persons who will be relocated for an extended period of time (Over 6 months), or if necessary due to personal needs or circumstances.**
- **Residents whose temporary relocation is anticipated to exceed one year must be informed that they will have not less than 30 days to elect temporary or permanent relocation. At this time, it is not anticipated that no resident at TVOH temporary relocation will exceed one year.**
- **Residents who will be permanently relocated must receive written notice a minimum of 90 days prior to relocation. This 90-day time period may only begin once the PHA has made available at least one comparable replacement dwelling consistent with 49 CFR 24.204(a).**
- **The notice must describe the available relocation assistance, the estimated amount of assistance based on the individual circumstances and needs and the procedures for obtaining the assistance. The notice must be specific to the resident and his or her situation, so that the resident will have a clear understanding of the type and amount of**

payments and/or other assistance the resident household may be entitled to claim.

- **The notice must explain the reasonable terms and conditions under which the resident may continue to lease and occupy a unit in the completed project.**
- **The notice must state the PHA will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with any temporary move. These expenses include, but are not limited to, moving expenses and increased housing costs (rent, utilities, etc.).**

3. Ninety Day Notice

All residents will receive a 90 day notice of relocation, which may be included in the Notice of Relocation. The notice will specify the date by which the resident's current unit must be vacated. Residents may be required to move in fewer than 90 days if JHA determines that the notice is impractical for reasons such as health or safety.

4. Thirty Day Notice

This notice provides residents an additional notice to vacate and will notify residents of the earliest date they can move, as well as the unit they will be moving to. Additionally, this notice will advise each head of household that their public housing lease will be terminated and converted to a RAD lease.

All public housing residents will receive the required notices of relocation. After initial notification, residents will be scheduled for briefing sessions to explain relocation procedures.

Eligible Persons

Residents currently residing in JHA's public housing units at TVOH, who are in good standing on the date of the 90 day notice of relocation is issued are eligible for assistance. Eligibility for notices and advisory services begins on the date of HUD's approval to convert. All eligible residents after this date are eligible for some level of assistance. Each eligible resident will be given the option of receiving assistance under URA.

JHA/property management will continue to enforce the terms of the dwelling lease during the RAD conversion process. Residents in violation of their lease may be subject to eviction in accordance with the terms and conditions of their lease and therefor making them ineligible for relocation services.

Relocation Procedures

- 1. All residents will receive the required 90-day notice of relocation upon JHA receiving the RAD Commitment Conversion (RCC) from HUD.**
- 2. Resident briefings will continue to be conducted to explain relocation procedures in detail.**
- 3. Each resident head of household will receive an individual interview with JHA's relocation staff to determine housing needs, special services and any other items applicable to relocation of resident.**
- 4. Residents will receive their housing options during the interview with staff.**
- 5. Once the resident has been informed if their move is temporary or permanent, JHA relocation staff will work with the resident on utility, cable, land line phone and mailbox transfers. Also, assistance with completing any paperwork related to relocation will be provided by JHA's relocation team.**
- 6. All residents will be required to sign the appropriate relocation agreement and any administrative documents as required by JHA.**

Resident Relocation Options (Permanent and/or Temporary)

JHA staff will conduct individual interviews with each head of household to notify the resident whether the move is temporary or permanent. JHA staff will outline the entire relocation process. During the interview, the resident will sign a Relocation Agreement that will document whether the relocation will be permanent or temporary.

Option 1: Remain in TVOH (Right to Return)

Residents will exercise their right to return to the Villages at Old Hickory II upon completion of the rehabbed units. All temporary relocations in this option will be temporarily relocated on site. All residents currently at TVOH will be offered a renovated unit upon completion. Households currently residing in accessible units will be permanently relocated to a renovated accessible unit or temporarily relocated to accessible units off site, if no accessible unit is available and will receive temporary relocation assistance, under URA guidelines.

Option 2: Permanently Relocate (Surrender the Right to Return)

Residents who qualify for the Right to Return but chose to Surrender the Right to Return will receive payments consistent with the URA for their relocation. This applies only to residents who will be permanently displaced, if any.

All residents choosing option 2 will be required to relinquish their “right to return” to the completed projects in TVOH II.

Refusal of Relocation Options

Residents that are required to move either temporarily or permanently may only reject housing options or assigned units for “good cause”. If the following occurs, JHA will consider this to be a rejection without good cause:

- 1. A resident refuses to sign a relocation agreement. This shall constitute rejection without good cause.**
- 2. A resident refuses to move by their assigned date or 30 days beyond their scheduled date. This too shall constitute a rejection without good cause.**

Good cause is limited to the following:

- 1. Resident demonstrates that the housing unit poses an immediate and severe threat to the family’s life, health or safety. Resident must have supporting documentation to verify such Good Cause.**

If it is determined that a resident has rejected the housing option/units without good cause, JHA will initiate eviction procedures while allowing the resident to exercise the grievance process. If a resident is unable to move due to disability, they have a right to submit a reasonable accommodation request to JHA's 504 coordinator and to complete the process necessary for approval.

Resident Right to Return

RAD program rules prohibit any permanent involuntary relocation of residents as a result of conversion. Residents that are temporarily relocated retain the right to return to the property once rehab has been completed and the units are ready. The period during which residents may need to be temporarily relocated will be determined by the period of construction which is specific to the project.

Relocation Grievances

JHA will process grievances, prior to the RAD conversion, in accordance with policies and procedures set forth in Public Housing Admissions and Continued Occupancy Policy. After conversion, the residents adhere to the following procedures:

- 1. Resident provides a written request for an informal review to the Relocation staff. Relocation staff will schedule a meeting with the resident to determine if the grievance can be settled without formal action. After the initial meeting, staff will provide the resident a written review of the grievance. This will be issued within five (5) business days to the resident. The written notice will include the name, date of informal review, description of the grievance and the process for submitting a formal request for a Grievance Hearing.**
- 2. If there is no resolution to the grievance, the resident then will request a formal hearing with JHA's assigned hearing officer. The formal hearing process will be conducted in accordance to Housing Choice Vouchers Hearing procedures. Residents will receive a written notice within 10 working days from the hearing officer as to the disposition of the grievance. All residents must comply with the final decisions.**

Relocation Benefits Appeals

Residents subject to relocation may request a review of any JHA's determination documentation concerning eligibility for relocation benefits, the amount of a relocation payment, or the selection of the comparable relocation unit provided.

Residents will have 30 days after receipt of a written offer of relocation benefits to file an appeal. The appeal shall be in writing, and mailed or hand delivered to JHA's Relocation Staff located at 125 Preston Street, Jackson, TN 38301. Upon receipt of written appeal, JHA staff shall assign an impartial Hearing Officer for a hearing, pursuant to JHA's Admissions and Continued Occupancy Policy and Grievance Procedures, who shall serve as the authorized designee of JHA. The resident may attend and be represented by a person at his or her own expense and choice, and may bring witnesses. Materials presented by the resident and all other pertinent information will be considered by PHA in making the decision.

The written decision of the Hearing Officer will be the final decision of JHA in accordance with 49 CFR 24.10. If the resident is not satisfied with the Hearing Officer's decision, the resident will be advised that there is no other option for judicial or administrative review of the agency's determination.

Relocation Services

JHA staff will schedule individual appointments with residents to discuss their needs, preferences and concerns. Relocation counseling will be provided that includes the following:

- **All required written notices and letters in any necessary format and language for residents to be able to understand clearly their rights and appropriate laws regarding the relocation process.**
- **Information regarding relocation benefits and assistance**
- **Counseling, advisory services, and/or home visits to all residents in order to maximize understanding and minimize hardships.**
- **Recommendations of housing opportunities and various resources related to the individual needs and preferences of the residents.**

- **If off-site housing, permanent relocation, is used and there is a need, transportation will be provided to the tenant via JHA vehicles accompanied by at least two JHA staff members.**
- **Current and continuing information regarding the availability and location of comparable replacement dwelling units, including federally assisted housing.**
- **Assistance with the completion of all required forms including the application for payments and benefits.**
- **Referrals to area social services agencies as needed.**

Relocation Costs

Residents that will be relocated are entitled to certain benefits. Those families who are being permanently relocated are entitled to benefits such as moving expenses (including but not limited to the costs to move personal possessions, packing supplies, utility hookup fees, and cost of installing appliances), relocation counseling, payments for the difference between their current rent and the rent of their new dwelling, and a dislocation allowance. Families may also elect to receive a fixed moving allowance based upon schedules published by the Department of Transportation (49 CFR 1.85 and 24.302).

URA Fixed Residential Moving Costs Schedule- 2021

# of Rooms to be moved	Bedroom Size	Payment Amount
4 Rooms	2 Bedroom	\$1250.00
X	141=	176,250

Moving Options

Option 1 (Temporary and Permanent Moves)

JHA will solicit 3 bids/quotes from various moving companies and award contract to the lowest bidder to move residents. All moves will be scheduled with relocation staff, head of household and moving company. Payment for move will be paid directly to the moving company and not the residents.

Option 2 (Temporary and Permanent Moves)

Resident packs and moves all personal belongings. The resident must submit a moving cost estimate to the JHA relocation staff for approval prior to the move. Resident will be reimbursed for all reasonable out-of-pocket moving and services expenses incurred in connection with any temporary move. There will not be any fixed payments for temporary relocation moves.

Option 3 (Temporary and Permanent Moves)

Resident receives a fixed moving expense allowance and takes full responsibility for the move. The allowance and subsequent payment will be based on fixed moving allowance scheduled, published by the Federal Department of Transportation (49 CFR 1.85 and 24.302).

Additional Moving Expenses

Unit Size	Utility Transfers	Security Deposits	Estimated Costs
2 bedroom	<u>\$35.00</u>	\$	<u>\$35.00</u>

The Villages at Old Hickory Apartments		
Bedroom Size	Moving/Utility Transfer/Security Deposit Expense	Estimated Cost
2 bedroom (141)	\$35.00	\$4935.00
Total		\$4935.00

Disallowance Fee of \$100.00 X 141 = \$14,100
--

Total Relocation Costs

Moving Expenses	\$176,250.00
Relocation Financial Assistance	\$4935.00
Replacement Housing Payments	0
Administrative Expense	
Disallowance	\$14,100
Total Relocation Budget	\$195,285.00

Post RAD Conversion

As a result of RAD, JHA's 118 units of public housing located at the Villages at Old Hickory will be converted to a project based assistance and will no longer be subject to the Department of Housing and Urban Development (HUD) Public and Indian Housing (PIH) rules and regulations. Upon conversion, these units will be subject to the rules and regulations of the Project Based Voucher (PBV) program requirements.

IV. Resident Participation

Upon conversion, affected residents will retain certain rights and ability to participate in HUD programs. The following programs will be included upon conversion:

- 1. Resident Opportunities and Self-Sufficiency (ROSS-SC) - Upon conversion, current participants will continue to be eligible for the service coordination through the remainder of the eligible grant term of the ROSS-SC.**

- 2. Public Housing Family Self-Sufficiency (PHFSS) - Upon conversion, residents enrolled in the PHFSS program will continue to be eligible to participate in the program. Property will be required to administer the program and all program Coordinator funding will remain in place for the term of the grant. The PHFSS program requirements will continue to be monitored by HUD's office of Public and Indian Housing. After the RAD conversion, no new enrollment will be offered for the FSS program.**

- 3. Resident Participation and Funding - Upon conversion, residents will retain the right to establish and operate a duly elected Resident Association/Organization in accordance with 24 CFR Part 245. Residents Organizations will also be eligible to receive Tenant Participation Funding to organize, provide trainings and other programs/activities in accordance with 24 CFR Part 964.**

V. Resident Rights

- 1. Rent Increases- Upon conversion, if a resident's rent increases by more than 10% or \$25 as a result of conversion, the increase will be phased in over a minimum of three (3) but not to exceed five (5) years. To implement this provision, HUD is waiving section 3(a)(1) of the Act, as well as 24 CFR \$ 880.201 (definition of "total tenant payment"), to the limited extent necessary to allow for the phase-in of tenant rent increases.**
- 2. Earned Income Disallowance (EID)-Upon conversion, if a resident is receiving the EID exclusion as a result of employment they will continue to receive the EID, in accordance with 24 CFR 960.255. If a resident's receiving the EID exclusions becomes unemployed or opts not to utilize the exclusion it will expire and the resident will no longer be eligible. After conversion no other resident will be eligible to receive an EID exclusion.**
- 3. Resident Termination Notification- As required by HUD and in accordance with the supplement notification requirements in 24 CFR 880.607, residents have the right and will receive written notice of termination of the lease that includes the following:**
 - A reasonable period of time, but not to exceed 30 days if the health and safety of other tenants, owner employees, or persons residing in the immediate vicinity of the premises is threatened; or in the event of any drug-related or violent criminal activity or any felony conviction; or 14 days in the case of nonpayment of rent.**
- 4. Lease Termination in all other cases shall comply with requirements of 24 CFR 880.603.**
- 5. Resident Grievance Procedures – Upon conversion residents will retain the right to request an informal hearing that will include the following:**

- **Residents will have an opportunity for an informal hearing with an impartial member of JHA/Property Owners staff within a reasonable period of time.**
- **Residents will have the opportunity to be represented by another person of their choice, to ask questions of witnesses, have others make statements at the hearing, and to examine any regulations and any evidence relied upon by the owner as the basis for the adverse action. With reasonable notice to the JHA/Property Owner, prior to the hearing and at the residents' own cost, resident may copy any documents or records related to the proposed adverse action;**
- **JHA/Property Owners provide the resident with a written decision within a reasonable period of time stating the grounds for the adverse action, and the evidence the JHA/Property Owner relied on as the basis for the adverse action.**

JHA/Property Owner will be bound by decisions from these hearings, except if the hearing concerns a matter that exceeds the authority of the impartial party or the decision is contrary to HUD regulations or requirements or otherwise contrary to federal, State, or local law. Residents must be notified of this and of the reasons for the determination.

CERTIFICATION OF COMPLIANCE

The Jackson Housing hereby certifies that it will comply with the applicable requirements of the URA and Relocation Requirements under the Rental Assistance Demonstration (RAD) Program to the extent provided in this relocation plan.