

# URA Rule: Addressing the 2024 Revisions

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- Introduction
- URA Overview and Regulatory Background
- The 2024 URA Rule
  - Summary of Key URA Regulatory Changes from 2024 Final Rule
- Other HUD Relocation Assistance
- Minimizing Displacement
- Questions

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## URA Overview and Regulatory Background

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# URA Origins

## Overview

### URA– Is a Cross-Cutting Federal Requirement

- The Uniform Relocation and Real Property Acquisition Policies Act of 1970 (URA) is a cross-cutting Federal law intended to standardize real property acquisition and relocation rights and procedures.
- In 1987 Congress amended the URA to designate the DOT as the Lead Agency for the URA, and the DOT delegated that authority to the FHWA.
- All Federal agencies thus implement the URA according to FHWA's regulation (49 CFR Part 24).



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# URA Regulation

## Background

### URA– Regulatory Background

- The 2024 URA Final Rule was published May 3, 2024, with an effective date of June 3, 2024, thus modifying the regulations at 49 CFR part 24.
- The revisions were prompted by the Moving Ahead for Progress in the 21st Century Act (MAP-21), which increased statutory relocation benefits and reduced length of occupancy requirements.
- FHWA has broadly deferred to other Federal agencies on implementation of the new regulatory provisions.
- HUD developed its own policy guidance for implementing the URA which is in HUD Handbook 1378. CHG-8 – *Tenant Assistance, Relocation, and Real Property Acquisition Handbook (7/2018)*
  - This version included the updates that became effective on 10/1/2014 per Notice CPD-14-09



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# URA Regulation

## Applicability

### URA– When is URA Triggered

- When **real property is acquired**, or persons, businesses, non-profits, or farms are either permanently or temporarily displaced as a direct result of **acquisition, demolition, and rehabilitation** for a Federally funded project
- Applies to government agencies, private organizations and others
- Note: URA may be triggered **if federal assistance is in any phase of project**
- URA requirements apply to:
  - All Federal programs, including CDBG, HOME, FEMA, DOT
  - Applies whether received as Grants, loans, other contributions



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## The 2024 Final Rule

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# → Summary of Key URA Regulatory Changes From the 2024 URA Final Rule

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## Subpart A: General (§ 24.1–24.11)

- The **§ 24.2 definition of “displaced persons”** has expanded beyond just persons permanently moved, to now include:
  - Persons or businesses temporarily displaced, and
  - Tenants in properties acquired through voluntary acquisition.
- **§ 24.11 Adjustments of limits and payments.**
  - The waiver valuation limits at [§ 24.102\(c\)\(2\)\(ii\)](#) is increased from \$10,000 to \$15,000 and the Federal agency funding the project may approve exceeding the \$15,000 threshold up to \$35,000 [[§\(c\)\(2\)\(ii\)\(C\)](#)];
  - (2) The conflict of interest valuation limits at [§ 24.102\(n\)\(3\)](#) for properties \$15,000 or less; and
  - (3) The maximum amounts of moving assistance found at [§§ 24.301, 24.304, 24.305](#), and housing replacement payments provided [24.401, 24.402, 24.502](#), and [24.503](#). (Discussed in the following slides)
- **§ 24.5 Electronic Notices** – New regulations permit HUD to establish requirements for the use of electronic notices and signatures that meet certain safeguards. *In the meantime*, the existing requirements remain in effect for notices to be personally served or sent by certified or registered first-class mail, return receipt requested. *\*Further Guidance Pending*



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## Subpart A: General (§ 24.1–24.11) (cont.)

### • **Voluntary acquisitions.**

- A tenant who moves as a direct result of a voluntary acquisition as described in [§ 24.101\(b\)\(1\)](#) through [\(3\)](#) is eligible for relocation assistance when there is a binding written agreement between the agency and the owner that obligates the agency, without further election, to purchase the real property.
- Federal Funding agencies should develop policies identifying the types of agreements used in its programs or projects which it considers to be binding, and which would therefore trigger eligibility for tenants as displaced persons.
- Agreements such as options to purchase and conditional purchase and sale agreements are **not** considered a binding agreement until all conditions to the agency's obligation to purchase the real property have been satisfied. Provided that, the agency may determine that a tenant who moves before there is a binding agreement is eligible for relocation assistance once a binding agreement exists allowing establishment of eligibility. *\*Further HUD Guidance Pending*



## Subpart B: Real Property Acquisition (§ 24.101–24.108)

- Voluntary conditions to be met have been condensed from 5 numbered criteria to 3 criteria and **now includes** the requirement to treat all acquisitions in a general geographic area the same.
- The “uncomplicated and low fair market value” threshold, for which an appraisal is not required, was increased from \$10,000 to \$15,000
- If the owner is offered the option of having an appraisal, HUD can approve waiver valuations over that threshold, up to a maximum amount, which was increased from \$25,000 to \$35,000.
- Also, if additional new requirements are met by the recipient to adequately document administrative savings and the accuracy and efficacy of the waiver valuations, HUD can approve waiver valuations up to \$50,000. *\*Further Guidance Pending*



## Subpart C: General Requirements (§ 24.201–24.209)

- **§ 24.201** **Eligibility for relocation payments or relocation advisory assistance.** A person seeking relocation payments or relocation advisory assistance shall, as a condition of eligibility, certify:
  - (1) In the case of an individual, that they are a citizen, or an alien who is lawfully present in the United States.
  - (2) In the case of a family, that each family member is a citizen or an alien who is lawfully present in the United States. The certification may be made by the head of the household on behalf of other family members.
  - (3) In the case of an unincorporated business, farm, or nonprofit organization, that each owner is a citizen or an alien who is lawfully present in the United States. The certification may be made by the principal owner, manager, or operating officer on behalf of other persons with an ownership interest.
  - (4) In the case of an incorporated business, farm, or nonprofit organization, that the corporation is authorized to conduct business within the United States.
- **§ 24.202** **Computation of relocation payments.** In computing relocation payments under the Uniform Act, if any member(s) of a household or owner(s) of an unincorporated business, farm, or nonprofit organization is (are) determined to be ineligible because of a failure to be lawfully present in the United States, no relocation payments may be made to him or her.



## Subpart C: General Requirements (§ 24.201–24.209) (cont.)

- **24.208 Aliens not lawfully present in the United States.**
- Each person seeking relocation payments or relocation advisory assistance shall, as a condition of eligibility, **certify**:
  - (1) In the case of an individual, that they are a citizen, or an alien who is lawfully present in the United States.
  - (2) In the case of a family, that each family member is a citizen or an alien who is lawfully present in the United States. The certification may be made by the head of the household on behalf of other family members.
  - (3) In the case of an unincorporated business, farm, or nonprofit organization, that each owner is a citizen or an alien who is lawfully present in the United States. The certification may be made by the principal owner, manager, or operating officer on behalf of other persons with an ownership interest.
  - (4) In the case of an incorporated business, farm, or nonprofit organization, that the corporation is authorized to conduct business within the United States.
- In computing relocation payments under the Uniform Act, if any member(s) of a household or owner(s) of an unincorporated business, farm, or nonprofit organization is (are) determined to be ineligible because of a failure to be lawfully present in the United States, no relocation payments may be made to him or her.



## Subpart C: General Requirements (§24.201–24.209) (cont.)

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- **24.208 Aliens not lawfully present in the United States (cont.)**
- If, based on a review of a person's documentation or other credible evidence, an agency has reason to believe that a person's certification is invalid (for example a document reviewed does not on its face reasonably appear to be genuine), and that, as a result, such person may be an alien not lawfully present in the United States, it shall obtain the following information before making a final determination:
  - (1) For a person who has certified that they are an alien lawfully present in the United States, the agency shall obtain verification of the person's status by using the Systematic Alien Verification for Entitlements (SAVE) program administered by USCIS to verify immigration status.
  - (2) For a person who has certified that they are a citizen or national, if the agency has reason to believe that the certification is invalid, the agency shall request evidence of United States citizenship or nationality and, if considered necessary, verify the accuracy of such evidence with the issuer or other appropriate source.
- For persons lawfully present, must now be authorized by U.S. Department of Homeland Security instead of the U.S. Attorney General.



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## Subpart D: Payments for Moving and Related Expenses (§ 24.301–24.306)

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- Provides requirements for Moving Cost Estimates prepared by Agency staff.
- Updates requirements for Mobile Home Move methods.
- New allowance for agency staff to prepare commercial move estimates of \$5,000 or less with written consent of displacee.
- New allowance to reimburse tenant expenses up to \$1,000 for application fees and credit checks.
- Increases business search costs from \$2,500 to \$5,000 and now, alternatively they may receive \$1,000 with minimal or no documentation of their actual costs. .
- The new rule adds the eligible costs of storing personal property up to 12 months for a temporary displacement if a necessary cost.
- Reestablishment expenses for non-residential relocation has increased from \$25,000 to \$33,200.
- The new rule raises the cap for fixed move for businesses, farms, and non-profits from \$40,000 to \$53,200.



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## Subpart E: Replacement Housing Payments (§ 24.401-24.404)

- Housing replacement payment for a 90-day homeowner has increased its cap from \$31,000 to \$41,200.
- Rental assistance for a 90-day occupant has increased its cap from \$7,200 to \$9,570.
- Provides new guidance for Reverse Mortgages (24.401(e))
- Downpayment assistance to purchase a home has increased its cap from \$7,200 to \$9,570.
- Replacement Housing of Last Resort (24.404)
  - Whenever a program or project cannot proceed on a timely basis because comparable replacement dwellings are not available within the monetary limits for owners or tenants, the agency shall provide additional or alternative assistance under the provisions of this subpart. Any decision to provide last resort housing assistance must be adequately justified either.



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## Subpart F: Mobile Homes (§ 24.501-24.503)

- Owner-occupant displaced from a mobile home has increased its cap from \$31,000 to \$41,200.
- Rental Assistance payment has increased for mobile home tenants from \$7,200 to \$9,570.
- **Replacement housing payment for a 90-day owner-occupant that is displaced from a leased or rented mobile home site.** If the displacement mobile homeowner-occupant's site is leased or rented, a 90-day owner-occupant is **entitled to a rental assistance payment** computed as described in [§ 24.402\(b\)](#). This rental assistance replacement housing payment may be used to lease a replacement site, may be applied to the purchase price of a replacement site, or may be applied, with any replacement housing payment attributable to the mobile home, toward the purchase of a replacement mobile home and the purchase or lease of a site or the purchase of a conventional decent, safe, and sanitary dwelling.
- **Owner-occupant not displaced from the mobile home.** If the agency determines that a mobile home is personal property and may be relocated to a comparable replacement site, but the owner-occupant elects not to do so, the **owner is not entitled to a replacement housing payment** for the purchase of a replacement mobile home. However, the owner is eligible for moving costs described at [§ 24.301](#) and any replacement housing payment for the purchase or rental of a comparable site as described in this section as applicable.



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## Other HUD Relocation Assistance When → URA is Not Triggered

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### Section 104(d) Relocation

**Section 104(d) is not part of URA – But does apply when using CDBG or HOME funds for relocation**

- Section 104(d) is a section of a federal law (42 USC 5304(d)) which applies to HUD's Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) programs. Key requirements of the law include:
  - Residential Anti-displacement and Relocation Assistance Plan (RARAP)
  - Relocation Assistance for Displaced Lower-income Persons
  - One-for-One Replacement of Lower-income Dwelling Units
- Section 104(d) is also applicable to CDBG-DR/MIT funds but will have some requirements waived or modified in the Federal Register Notice allocating the funds to align more closely with standard URA requirements.



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## HUD's Optional Relocation

### CDBG Regulations at 24 CFR 570.606(d)–allows for relocation assistance when URA is not triggered

- *Optional relocation assistance.* Under section 105(a)(11) of the HCDA, the grantee may provide (or the State may permit the state recipient to provide, as applicable) relocation payments and other relocation assistance to persons displaced by activities that are not subject to URA.
- Unless such assistance is provided under State or local law, the grantee (or state recipient, as applicable) shall provide such assistance only upon the basis of a written determination that the assistance is appropriate.
- The grantee (or state recipient, as applicable) must adopt a written policy available to the public that describes the relocation assistance that the grantee (or state recipient, as applicable) has elected to provide and that provides for equal relocation assistance within each class of displaced persons.



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→ Minimizing Displacement

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## Minimizing Displacement

- Goals and Requirements:
  - Consistent with the other goals and objectives of program regulations, the recipient must ensure that it has taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) resulting from assisted projects.
  - HUD's principal goal for these requirements is to ensure sponsored community development efforts do not inadvertently lead to the displacement of individuals when it can be prevented.
  - No specific format is required but planning and implementation are required
- When displacement cannot be avoided, follow the steps below:



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## Anti-displacement strategies for rental housing (example)

- Track occupancy and ensure proper Notices to current tenants and new tenants!
- Phased rehab is encouraged to prevent permanent displacement.
- Coordination with occupants to schedule and communicate stages of rehabilitation.
- Measures to minimize noise, dust and other inconveniences to occupants.
- Rehabilitation completed efficiently and within planned timeline.
- Regularly assess progress and adjust schedule and strategy as needed.
- Open communication with occupants (focus on vulnerable populations) and address concerns and issues.
- Project manager is trained on HUD relocation (URA, 104(d), optional), local landlord-tenant rules, fair housing & grantees anti-displacement strategies.
- Required moves? Request a written relocation plan.



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## → HUD Guidance and Resources

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### Guidance and Resources

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- [HUD's Real Estate Acquisition and Relocation Website](#)
- [The HUD Exchange's Real Estate Acquisition and Relocation Website](#)
- [FHWA's URA Webpage](#)
- [The 2024 URA Final Rule](#)
- [The URA Implementing Regulation \(49 CFR Part 24\)](#)
- [HUD's Cross-Cutting Relocation and Displacement Regulation \(24 CFR Part 42\)](#)
- HUD Handbook 1378: Tenant Assistance, Relocation, and Real Property Acquisition  
[https://www.hud.gov/program\\_offices/administration/hudclips/handbooks/cpd/13780](https://www.hud.gov/program_offices/administration/hudclips/handbooks/cpd/13780)



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