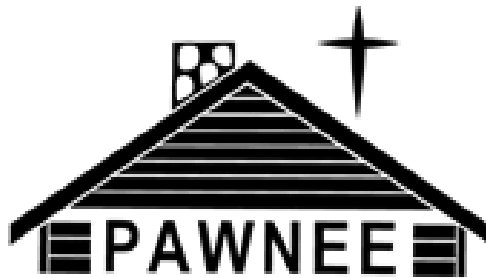


Pawnee Nation Housing Authority of the Pawnee Tribe

Relocation

Policy



RELOCATION

SECTION 1. POLICY STATEMENT

The Board of Commissioners of the Pawnee Nation Housing Authority recognize that it is necessary to adopt and implement Relocation Policies and Procedures in order to operate as a property management business. The governing body intends these policies to be applicable to the Pawnee Nation Housing Authority programs developed or operated utilizing Federal funds including the Native American Housing and Self-Determination Act (NAHASDA).

The relocation of ‘displaced persons’ is an eligible activity under NAHASDA as described in section 202(2) under Development. The regulations implementing NAHASDA regarding relocation activities are described at 24CFR Part 1000.14 that is included as an appendix (A) to this policy. Relocation activities that are included in a NAHASDA assisted activity are also subject to 49CFR part 24, specifically subpart C that is also included as an appendix (B) to this policy.

Certain relocation activities may be in the interest of the Pawnee Nation Housing Authority that will not meet the requirements of Federal Regulations. In those instances, non-restricted funds must be utilized.

Permanently relocating families should try to be avoided if at all possible. But, if relocating a family or several families is necessary for the overall benefit of the families involved or the tribal membership at large, then relocation activities shall be conducted in a fair and equitable manner by the Pawnee Nation Housing Authority.

In all cases, it shall be the policy of the Pawnee Nation Housing Authority to only consider relocation activities for ‘displaced persons’ after the following conditions have been met:

- A need to relocate ‘displaced persons’ has been identified through the Indian Housing Plan (IHP).
- Funding has been identified. (NAHASDA, non-restricted, grant funds, Tribal, other Federal)
- At least one comparable replacement dwelling is made available to the ‘displaced person’.
- Relocation is in the best interest of the Pawnee Nation Housing Authority.

SECTION 2. GENERAL RELOCATION REQUIREMENTS

2.1 General Information.

- A. Since the necessary and required steps to relocate ‘displaced persons’ utilizing Indian Housing Block Grant (IHBG) funds and the related regulations are outlined in 24CFR Subpart A-General 1000.14 (appendix A), this section of this

policy will describe the planning process that shall be implemented before the actual relocation process begins.

- B. During the early planning stages of a project will involve relocation activities, the Pawnee Nation Housing Authority's Executive Director shall review and become very familiar with all of the applicable relocation policies, regulations and associated laws. The Executive Director shall determine the staffing, training, and other capacity building needs and identify other special and unique problems associated with displacement of families created by the project. Solutions to situations or problems identified during the planning stages shall be developed before the eligible NAHASDA activity is included in the Pawnee Nation Housing Authority's Indian Housing Plan (IHP).
- C. Any IHP objective involving relocation activities shall include all of the information required by 24CFR 1000.14 and the Uniform Relocation Act. At a minimum, the performance objective described in the IHP shall include such information as the number of households to be displaced, identification of comparable replacement dwellings, description of solutions to any unique situations or problems, identification of staff that will be responsible for administering the relocation activities, and, in addition to any other relevant information, the estimated timeframes and cost of the proposed relocation activities.
- D. Ordinarily, Pawnee Nation Housing Authority planning activities are not reviewed by the Dept. of Housing and Urban Development's Office of Native American Programs (ONAP) until ONAP reviews and approves the Pawnee Nation Housing Authority's Indian Housing Plan. Since the requirements of the Uniform Relocation Act and the associated rules implementing the Act described in 49CFR Part 24 are quite detailed and the Pawnee Nation Housing Authority staff may not be familiar with all of the requirements involved with relocation activities, it shall be the policy of the Pawnee Nation Housing Authority that IHP objectives involving relocation activities be reviewed by the respective ONAP before being included in an IHP. This procedure is intended to prevent unforeseen problems from arising after relocation activities have begun.

SECTION 3. BASIC RELOCATION PROCESS

3.1. Plan Project.

- A. Determine relocation needs.
- B. Estimate staffing needs and costs.
- C. Develop solutions to unique situations or problems.
- D. Identify comparable replacement dwellings.
- E. Determine plan of action.
- F. Hold public hearings.

- G. Request ONAP review of the proposed objective that includes relocation activities.
- H. Include the objective in the IHP.

3.2. After IHP is approved.

- A. Establish administrative capacity & train staff.
- B. Establish management control system & procedures for coordinating relocation activities.
- C. Establish record keeping procedures.

3.3. Contact families to be displaced.

- A. Provide general written information describing payments, services, and protections.
- B. Encourage families not to move prematurely.
- C. Determine or update individual needs and preferences

3.4. Inform family to be displaced.

- A. Provide written notice of eligibility for relocation assistance including the cost and location of comparable replacement dwelling.
- B. Explain the available payments and services, eligibility conditions, filing procedures, and the basis for determining the maximum replacement housing payment.
- C. If applicable, explain the rental policies for short-term occupancy after relocation.

3.5. Work with the family to be displaced.

- A. Provide housing services, technical aid, and referrals to the appropriate agencies of businesses.
- B. Issue at least a 90-day notice of displacement if possible or necessary.

3.6. Family chooses replacement dwelling and moves.

- A. Inspect the replacement dwelling before the family moves to ensure it is decent, safe, and sanitary.
- B. Inspect the displacement site after the family has moved to ensure all personal property was moved.
- C. Issue an advance payment if necessary.

3.7. Process claims and make payments.

- A. Assist the displaced family or, if applicable, a landlord, in preparing and filing claims.

- B. Review the claims and promptly issue payments.
- C. Resolve complaints quickly in a fair, consistent, and equitable manner.
- D. Assist with the preparation of appeals as appropriate.

3.8. Follow up.

- A. Evaluate the programs success including contacts with the displaced families.
- B. Improve the procedures for future relocation activities.
- C. Maintain records to demonstrate compliance with applicable laws and regulations.

SECTION 4. NOTICES

The following procedures shall be used by appropriate staff in the implementation of the Pawnee Nation Housing Authority (PNHA) Relocation Policy which was adopted to ensure compliance with the Uniform Relocation Act. Relocation, when necessary, shall be accomplished in a cost-effective manner and for the shortest duration time possible to minimize the disruption to the affected families.

4.1. Notices

The Executive Director or his/her designee shall ensure that the following types of notices are issued to the residents to be affected by modernization or rehabilitation work.

- A. At the time that the PNHA submits an application for funding to HUD for any activity which may require relocation of residents of the PNHA, an initial notice shall be issued to all affected residents. The notice shall include, at a minimum, the following information:
 - i. A statement of non-displacement.
 - ii. A statement advising the family not to move at this time.
 - iii. A statement that if the family moves at this time they relinquish all rights to relocation benefits.
 - iv. A statement that the family will be able to reoccupy a rehabilitated house in the same project.
 - v. A statement that the family will be informed of any events or occurrences that will impact the rehabilitation of their house.
 - vi. A statement that the family's required monthly payment shall not increase as a result of rehabilitation or modernization work being performed on their house.
- B. Upon notification by HUD of project approval, the Executive Director or his/her designee shall ensure that a general information notice is issued to all affected residents again advising them not to move and that they will be notified in sufficient time to prepare for the temporary move.

- C. At least three weeks prior to the move, the Executive Director or his/her designee shall ensure that a notice is mailed to all families which will be temporarily relocated to begin preparation for the move. The notice shall include a schedule of Eligible Costs and at least the following information:
 - i. The date of the move and the approximate duration of the temporary relocation.
 - ii. The address of the unit to be occupied by the family for the duration of the temporary relocation.
 - iii. A statement that the family will be returned to a similar rehabilitated unit (or the same house, if it is Mutual Help).
 - iv. The name and telephone number of the PNHA employee to contact for assistance before and during the period of relocation.

4.2 IDENTIFICATION/PREPARATION OF TEMPORARY HOUSING UNITS

To the greatest extent feasible, the PNHA shall utilize vacant Low Rent units for housing relocated families. All units to be utilized for relocation, shall be decent, safe sanitary, and shall meet HUD Housing Quality Standards.

- A. The Executive Director shall work closely with the Project Manager to identify an adequate number of low rent units for relocation purposes. The maintenance department shall be responsible for ongoing maintenance of the units during the period of relocation.
- B. The Executive Director shall ensure that the required services (electric, water, sewer, telephone, etc.) are transferred to the relocation unit. All services shall be in the name of the family, and will be the responsibility of the family (as in the unit form which they are being moved).
- C. The Executive Director or his/her designee shall make arrangements for storage facilities (if needed), and for moving of the family(ies) possessions to the temporary location unit.
- D. The Project Manager shall conduct a move-in inspections with at least one adult of the family being relocated, prior to the move-in. Deficiencies (if any) shall be noted on the inspection form and shall be signed by the adult family member and the Project Manager. One copy of the inspection form shall be given to the adult family member, one shall be maintained in the family's relocation file, and one shall be forwarded to the maintenance department so the deficiencies (if any) can be scheduled for correction by the maintenance staff.
- E. In instances where the modernization work would require the family's absence from the unit for a period of less than five working days, **the PNHA may offer the family the**

option of staying in a nearby hotel/motel, provided it is cost effective to do so, and the family accepts the offer.

- F. Where the family is not required to move, but is unable to use the kitchen for food preparation, the Executive Director is responsible for ensuring that the family is reimbursed for meals on the day that work begins which makes the kitchen unavailable to the family. Cost of these meals shall be paid from non-program income.

4.3 COMPLETION OF RELOCATION

At the end of the relocation period, the following actions shall be completed.

- A. The Project Manager shall schedule the movers to transfer the family back to the rehabilitated unit and will have all utilities transferred back to the rehabilitated unit in the family's name.
- B. The Project Manager with at least one adult family member shall conduct a move-out inspection. Deficiencies (if any) shall be noted on the inspection form. A copy of the form shall be given to the family, along with charges for all family-caused damages. A copy shall be forwarded to the maintenance department, and one maintained in the relocation file.
- C. The Project Manager or his/her designee shall prepare a form HUD-40054, Claim for moving and Related Expenses for each family, to document all costs associated with the relocation. The form shall be forwarded to the Executive Director for approval. Upon approval, one copy shall be maintained in the relocation file, and one forwarded to the Finance Department.

4.4 RECORDINGKEEPING

The Finance Dept. shall be responsible for ensuring that all records associated with the relocation of families are properly maintained. All records shall be maintained for a minimum of three years. The following documents shall constitute the record of relocation:

- A. Documentation of all contacts with the affected family(ies).
- B. A list of all persons authorized to occupy the unit at the time the PNHA determined the family's eligibility for relocation assistance.
- C. Copies of timely written notices of non-displacement.
- D. Copy of timely offer of temporary relocation dwelling.
- E. Copies of all relocation needs and preferences of, and services provided to the affected family(ies).
- F. Copies of all referrals and notices issued.
- G. Individual Relocation Plan.
- H. Records for all expenditures incurred.
- I. A copy of any appeal/complaint.

For participants who elect to relocate permanently, the records shall include a statement of the reason(s) why, and documentation of PNHA 's contracts with the participant to explain available alternatives. The record shall also contain a statement signed by the participant acknowledging that they will not be eligible for relocation payments as a “displaced person”.

SECTION 5.

This is a model policy and the PAWNEE NATION HOUSING AUTHORITY may choose to delete or add any sections or numbers used in this sample. Should the PAWNEE NATION HOUSING AUTHORITY choose to make any changes, the PAWNEE NATION HOUSING AUTHORITY should ensure that the policy remains in compliance with the Native American Housing Assistance and Self-Determination Act (NAHASDA) and any other applicable federal, state, local, or tribal laws or regulations.

PNHA Relocation Form

Name: _____

Current Address: _____

Relocated to (address/unit): _____

COST OF SUPPLIES FOR RENOVATION

VENDOR	DESCRIPTION	QTY	PART #	PRICE
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
TOTAL AMT				\$ _____

Contractor Name:	_____
Amount Paid:	_____
Address:	_____
City/State/ZIP:	_____
Phone Number:	_____

Amount/Cost:	_____
Budget Charged:	_____
Invoice #:	_____
Check #:	_____

Approved By:	_____
Date of Move:	_____
Date Completed:	_____
Date of Move Back:	_____

NOTES: _____
