**Acquisition, Relocation and Demolition Questionnaire**

**Grantee:  Project: **

**Program:  Date Submitted: **

This questionnaire is designed to assist the Ohio Housing Finance Agency (OHFA) in reviewing your project for acquisition, relocation and demolition activities and in making a determination if you have adequately planned and budgeted for these activities.

Since much of OHFA funds are from federal sources, any project involving (a) acquisition of real property or easements, (b) rehabilitation and (c) displacement of occupants may activate the regulations found in the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA). In addition, Section 104(d) of the Housing and Community Development Act (Barney Frank Amendment) may apply to your project if HOME funds are used and funded activities include demolition or conversion that reduces the supply of low/moderate income dwelling units (those renting below Section 8 Fair Market Value).

If you have any questions about completing this form or for consultation on your project's URA and Section 104(d) activities, please contact OHFA, Planning, Preservation & Development Office at (614) 466-0400. The HUD Handbook 1378 on URA should also be reviewed for specific actions and recordkeeping requirements. The handbook is located [online](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378).

**SECTION 1 – Residential Anti-Displacement and Relocation Assistance Plan for Local Governments**

A Residential Anti-Displacement and Relocation Assistance Plan and its supporting documentation are required to be submitted with each application. If you have previously adopted a plan, submit an executed copy of that plan. If you have not adopted a plan see **OHFA Acquisition/Relocation Form 1** which is located on the OHFA website [under](file:///%5C%5CFS%5CP%26DShare%5CPrograms%5CStandards%5CUniform%20Relocation%20Act%20Forms%5Cunder) Standard Forms on each of the development program pages.

In addition, the information listed in the plan must be submitted in the application for funds or if program income funds are used to demolish or convert occupied or occupiable low- and moderate-income dwelling units, information must be forwarded and approved by OHFA prior to commencing the activity.

**SECTION 2 – Scope of Activities**

Check the acquisition, rehabilitation, relocation and demolition activities contained within the entire scope of the project (including activities funded from other funding sources that are part of this project). If none, check “none of the above.”

























**SECTION 3 – Home Buyer Assistance**

Programs assisting homebuyers with financial assistance are considered to be acquisition activities, and are covered by the URA and Section 104(d). Also, tenants residing in the home or building are eligible for relocation benefits unless they (a) are fully informed of their rights under the URA and (b) choose to waive their rights in a written consent document.

A. A Voluntary Acquisition Form-Third Party (see **OHFA Acquisition/Relocation Form 2**):

 or 

B. 

 (see **OHFA Acquisition/Relocation Form 3**)

C. Number of tenants displaced or anticipated to be displaced 

D. $Amount budgeted

**SECTION 4 – Acquisition Activities**

A. For parcels or easements that are currently owned (title transferred to the applicant at a previous date and not acquired for the purpose of this project, indicate the number of sites for this project that are currently owned  and the date(s) acquired.

B. Number of sites to be acquired: Easements  Residential 

 Nonresidential Homebuyer Assistance 

C. For sites that have been acquired or are in process of being acquired, what is that status?

Number

 Deed

 Purchase agreement

 Option

 Easement agreement

 Other (Explain)



D. If the site(s) has been acquired:

1. Who acquired the site(s)?





2. How was the site(s) acquired?





(OHFA Acquisition/Relocation Form 3)



Attach Voluntary Acquisition Form with the seller's signature (OHFA Acquisition/Relocation Form 2)

E. For all sites yet to be acquired:

1. Who will acquire the site(s)?





2. How will site(s) be acquired?









**SECTION 5 – Relocation Activities**

This section covers the two basic relocation options for tenant occupied units: (1) tenants required to move permanently; and (2) tenants who remain on site, even though they may be required to move off site temporarily to permit construction activities to occur, and are provided an appropriate Decent, Safe and Sanitary unit (DS&S) while offsite, and reimbursed for all reasonable out-of-pocket expenses. The failure to provide proper notices or benefits for temporary moves can result in tenants becoming permanently displaced, eligible for permanent relocation benefits, even if it was not intended for them to be displaced.

A. Briefly describe each activity involving rehabilitation or demolition that may result in temporary or permanent displacement.

B. If vacant, date the building was last occupied: 

C. Were previous occupants displaced in order to make the property available for this project? *If so, they must be located and offered relocation compensation.*

  

D. Is the property currently occupied by tenants (residential or nonresidential)?

  

E. If YES, complete the following three questions:

1. Will project activities require tenants to move permanently from the site (displacement)?

   If YES, please indicate the number of

  Residential tenant units

  Nonresidential tenant units

2. Of those remaining on site, will any tenant be required to move temporarily and then return to the unit after renovation (non-displacement)?

   If YES, please indicate the number of

  Residential tenants

  Nonresidential tenants

3. If applicable, show total monies budgeted for 1 and 2 above $, and include a brief description of how relocation benefits will be provided.

 

**SECTION 6 – Demolition Activities**

(Complete only if HOME dollars are used anywhere in your project and residential units are to be demolished or converted to a use other than low- and moderate-income housing.) See Section 104(d) of the Housing and Community Development Act (Barney Frank Amendment).

A. **UNITS:** Will your project reduce the supply of low- and moderate-dwelling units (those renting below Fair Market Rent; or if owner occupied, would have a market rent below the Fair Market Rent for the area)?

  

 If yes, explain in the space below the provision for replacing units within a four-year time frame (beginning one year prior to the funding agreement and terminating three years after the demolition activity).

 

B. **PEOPLE:** Will your project permanently displace low- and moderate-income persons?

  

 If yes, what amount is budgeted for relocation $? Explain in the space below a method of providing relocation benefits for any resident displaced.

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**FORMS**

The following forms are located online

**OHFA Acquisition/Relocation Form 1**: Sample Format for Residential Anti-Displacement and Relocation Assistance Plan for Local Governments

**OHFA Acquisition/Relocation Form 2:** Sample Voluntary Acquisition Form– Third Party (Non-governmental)

**OHFA Acquisition/Relocation Form 3:** Sample Donation and Waiver of Appraisal Form

**OHFA Acquisition/Relocation Form 4:** Sample Voluntary Acquisition Form– Public Entity

**ADDITIONAL COMMENTS**

Attach on a separate sheet comments/clarifications for any of the above activities.

**ACQUISITION, RELOCATION AND DEMOLITION QUESTIONNAIRE**

**INSTRUCTIONS**

Since much of OHFA funds are from federal sources, any project involving (a) acquisition of real property or easements, (b) rehabilitation, (c) displacement of occupants, and (d) demolition may activate the regulations found in the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA). In addition, Section 104(d) of the Housing and Community Development Act (Barney Frank Amendment) may apply to your project if HOME funds are used and funded activities include demolition or conversion that reduces the supply of low- and moderate-income dwelling units (those renting below Section 8 Fair Market Value).

To comply with requirements of the URA and Section 104(d), you must begin to document any acquisition and/or relocation activity once you begin planning to apply for state or federal funds. Be aware early in the process that acquisition of real property, including permanent easements must be done in compliance with the URA. Also, intentional or unintentional displacement of any tenant (individual, family, nonprofit, business or farm) without the URA and possibly 104(d) procedures being followed may result in displacement, adding a financial liability to your project.

Please contact OHFA, Office of Planning, Preservation and Development at 614-466-0400 if you have any questions about completing this form or for consultation on your project's URA activities.

The following is a brief explanation of each Section in the Acquisition and Relocation Questionnaire of this application. This questionnaire is designed to assist us in reviewing your project for acquisition, relocation and demolition activities and in making a determination if you have adequately planned and budgeted for these activities.

**Section 1: Anti-displacement and Relocation Assistance Plan for Local Governments**

Submit a Residential Anti-displacement and Relocation Assistance for Local Governments Plan with your application consistent with the sample form **OHFA Acquisition/Relocation Form 1.** Also include documentation that is required by the plan if available for review and approval.

**Section 2: Scope of Activities**

Check the acquisition, rehabilitation, relocation and demolition activities contained within the entire scope of the project (including activities funded from other funding sources that are part of this project). Check the appropriate boxes.

**Section 3: Home Buyer Assistance**

Programs assisting homebuyers with down payment assistance, closing costs or principal reduction payments are acquisition activities, and are covered by the URA. Timely disclosure needs to be made to the seller, in writing, that it is a voluntary transaction in order to exempt the purchase from full URA regulations (see Sample Voluntary Acquisition Form– Third Party, **OHFA Acquisition/Relocation Form 2)**. Also, tenants residing in the home may be eligible for relocation benefits unless they (a) are fully informed of their rights under the URA, and (b) choose to waive their rights in a written consent document without being asked to do so. If they refuse assistance, the reason must be documented. See [HUD Handbook 1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378) for procedures.

**Section 4: Acquisition Activities**

Any real property, including permanent easements, acquired or to be acquired must be acquired in compliance with the URA, whether the property is acquired on a voluntary, involuntary or donated basis.

A. There is no acquisition issue if real property was not acquired for this project in the past, nor is to be acquired in the future. If ALL real property was previously owned, and not acquired for this project, enter date(s) property to be used for this project was acquired and proceed to the Section 5.

B. Enter the number of sites acquired or to be acquired for each category.

C. Enter the number of sites under control for each category and the date(s) obtained. The total number for C should equal the total number for B above.

D. For secured sites:

1. Check who secured the site(s).

2. Check how the site(s) was secured and attach requested documentation for donations and voluntary acquisitions.

E. For sites not yet secured:

1. Check who will secure the site(s).

2. Check how site(s) will be secured.

**Section 5: Relocation Activities**

This section covers the two basic relocation options for tenant occupied units. They are:

TENANTS WHO ARE INVOLUNTARILY DISPLACED because they are required to move off site permanently as a direct result of the project, including a permanent move that was done prior to the date of the application in anticipation of the project.

TENANTS WHO REMAIN ON SITE since a significant relocation obligation remains with non-displaced tenants. Relocation files must be established and each tenant offered a suitable, affordable, Decent, Safe and Sanitary unit (DS&S) on site. Tenants may be required (a) to move from one unit to another or (b) to move off site temporarily to permit construction if they are provided an appropriate unit during the move and paid all reasonable out-of-pocket expenses. The failure to provide proper notices or benefits can result in tenants becoming displaced persons, eligible for permanent relocation benefits, even if it displacement was not intended.

A. Briefly describe each proposed activity involving rehabilitation, demolition or conversion to another use (conversion also includes increasing rents to the point that tenants are economically displaced).

B. Enter date vacant property was last occupied.

C. Check whether tenants were previously displaced to make the property available for this project. If so, past tenants must be located and offered relocation assistance.

D. Check whether property is currently occupied by tenants.

E. If YES is checked in D above, complete the three questions.

1. Check if tenants are required to move permanently from the site. If YES, enter the number of residential and nonresidential tenant units (displacement).

2. Check whether remaining tenants will be required to move temporarily or to move permanently from one unit to another within the project. If YES, enter the number of residential and nonresidential tenant units (non-displacement).

3. If answer to 1 or 2 above is YES, show amount budgeted and describe how relocation benefits will be provided (include notices, advisory services and financial reimbursements) and identify staff that will implement the relocation activity. If needed, use bottom of the following page or attach additional sheets.

**Section 6: Demolition Activities**

HOME funds are covered by Section 104(d) of the Housing and Community Development Act of 1974, as amended, (Barney Frank Amendment) which (1) protects the supply of affordable housing units and (2) outlines benefits to LMI residents who are permanently displaced. Section 104(d) has two distinct components:

**UNITS:** 104(d) requires one-for-one replacement of low- and moderate-dwelling units that are demolished or converted to another use.

**PEOPLE:** 104(d) specifies relocation assistance for displaced low-income families. (It does not provide protection or assistance for families with incomes above the Section 8 Lower Income Limit. However, those families are covered under URA relocation requirements.)

A. Check whether your project will reduce the supply of low- and moderate-dwelling units (defined as a dwelling unit with a market rent, including average utility costs, that does not exceed the Fair Market Rent for Section 8 existing housing). The term does not include any unit that is owned and occupied by the same person before and after the assisted rehabilitation. A housing project that has a before rehab value of less than $10,000 per unit and has been documented to be dilapidated will be considered not suitable for rehabilitation; thus, the one-for-one replacement rule will not apply. If YES is checked, describe a plan for replacing the demolished or converted units.

B. Check whether your project will permanently displace low- and moderate-income persons. If YES is checked, explain the method of providing relocation benefits.

**FORMS**

Forms can be found on the OHFA website.

**OHFA Acquisition/Relocation Form 1: Residential Anti-displacement and Relocation Plan for Local Governments**

Government Entities: Attach a copy of your previously executed Anti-Displacement and Relocation Assistance Plan, or adopt a plan consistent with this format.

**OHFA Acquisition/Relocation Form 2: Sample Voluntary Acquisition Form – Third Party (Non-governmental)**

A sample form that may be used by nonprofit and private developers when acquiring real property and also by government agencies for down payment assistance programs. Document the source of the Fair Market Value (FMV); do not use the listing or selling price.

**OHFA Acquisition/Relocation Form 3: Sample Donation and Waiver of Appraisal Form**

A sample form that may be used for when a non-public entity is donating property or permanent easements (most often used when owners are donating easements in water/sewer projects).

**OHFA Acquisition/Relocation Form 4: Sample Voluntary Acquisition Form – Public Entity**

A sample form that may be used by government entities when acquiring real property on a voluntary (non-Eminent Domain) basis. Document the source of the Fair Market Value (FMV); do not use the listing or selling price.