

Non Payment of Relocation Assistance Due to Waiver

Name of Grantee and Sponsor

Name and Address of Project:

Circle Funding: HOME, CDBG, HOPWA, SHP, NSP, CDBG-R, Public Housing, Sec 202/811

Issue Being Determined: Waivers are generally prohibited under the URA. Were any eligible displaced persons asked to waive relocation assistance?

Name and Address of Person Who Waived Benefits

Criteria Being Applied: 49 CFR 24.207(f) and 49 CFR 24 Comments Section 24.207(f)

Take the following actions and review supporting documents to make the final determination

1. Review the circumstances of the waiver. What is the reason cited for the waiver request? Is the reasonable supportable? On what basis? Was a waiver signed by the displaced person? Does it appear to have been signed under duress?
2. Review the date of the waiver. Was it signed after the HUD funding? Was it signed prior to displaced persons' eligibility for URA relocation assistance? (Note: May be invalid)
3. Determine if the person was, in fact, eligible for URA relocation assistance. (Note: A person cannot waive a benefit he or she wasn't eligible for.)
4. Determine if the person waiving benefits was properly informed as to the exact amount of relocation assistance due in a Notice of Eligibility or other letter? Was the calculation of assistance correct? Was any relocation assistance was received? Was it correctly calculated or was some other assistance still due?
5. Determine if displaced the person received another benefit instead of URA assistance? If so determine if it is equal or higher?
6. Determine if the waiver was part of a court settlement. If yes, review the court document to ensure the relocation waiver was covered in the settlement. Note: Treat an out of court settlement as any other waiver. Notification of the exact amount of relocation is still necessary.
7. If questions remain, contact the HUD field office Relocation Specialist.

Determination and Rationale for Accepting or Not Accepting Waiver

Authorized Officials Signature

AUTHORIZED OFFICIAL's NAME AND TITLE

Date of Determination

List of Supporting Documents attached to support conclusion: Waiver document Correspondence with tenant(s), court settlement or out of court settlement, receipt of NOE or other document showing exact amount of URA relocation assistance the person is eligible for. Evidence the person received a higher payment under another program in lieu of URA relocation assistance.