

CHAPTER 4

ORIENTATION, TRAINING, AND TECHNICAL ASSISTANCE

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CHAPTER 4

ORIENTATION, TRAINING, AND TECHNICAL ASSISTANCE

“An ounce of prevention is worth a pound of cure.” - Benjamin Franklin

INTRODUCTION

As a busy CDBG manager, you are probably confronted every day with recommendations for improving program operations. However, in your struggle to balance limited staff resources with the endless work to be done, these “good ideas” may never seem to get your full attention.

Subrecipient orientation, training and technical assistance provide the keys to successful program operations and reduced problems.

If you are like some CDBG managers, **subrecipient orientation, training, and technical assistance** tend to fall into the “good-idea category.” You fully intend to get around to developing a training program, once you get through *today’s* crises.

The problem is that today’s crises never completely end. The only way to gain some control over these problems is to anticipate them and to take steps to prevent them from occurring in the first place. *Anticipating and avoiding otherwise inevitable problems is the key benefit that subrecipient orientation, training and technical assistance can bring to your CDBG program.*

Training as an Investment in the Future of Your Program

Orientation, training, and technical assistance are part of the ongoing investment you make in the quality of your programs. The payoff from that investment is enhanced productivity among your subrecipients, improved services for your community, and fewer administrative headaches for you.

This chapter explains how you can use orientation, training, and technical assistance to build more efficient and effective CDBG programs among your subrecipients.

How Orientation, Training, and Technical Assistance Differ

CDBG grantees should conduct formal orientation sessions for their subrecipients at the beginning of the program year.

The orientation session is a way to re-open the door of communications with subrecipients and to resolve old problems and tackle new ones.

With their future focus on enhancing performance and reducing problems, these three teaching approaches have much in common. However, they differ with respect to emphasis, timing, and target audiences.

- **Orientation sessions** are traditionally held at the beginning of the program year (or whenever subrecipients are selected) and tend to address broad program objectives and methods.
- **Training sessions** are generally aimed at larger groups in more traditional classroom settings and are conducted throughout the year to address specific program areas.
- **Technical assistance** is usually provided one-on-one or in small groups, often on-site, when operations are already underway.

The characteristics and value of each approach are discussed in the following sections.

The purpose of an orientation session is to educate (or remind) subrecipients about the **basic** rules under which any CDBG activity must operate in your community. An orientation session provides an opportunity for you to establish **clear expectations** for subrecipients with respect to **performance standards**, and with respect to the **policies and procedures** that need to be followed. The latter include both the policies and regulations of the national CDBG program and your local administrative practices.

ORIENTATION SESSIONS

One-on-One Orientation Sessions

Many grantees approach orientation sessions with subrecipients on an *informal, one-on-one basis* whenever a new subrecipient joins the local CDBG program. This approach has certain advantages but can also have some significant drawbacks:

Pros: The one-on-one structure

- allows you to tailor the orientation to the needs of the individual subrecipient organization and thereby secure greater involvement of subrecipient staff;
- provides a better opportunity for you to test the subrecipient's understanding of essential material periodically throughout the session;
- allows you to avoid an overly bureaucratic style that can intimidate new subrecipients; and

- involves fewer logistics (and less cost) than conducting more formal sessions for multiple subrecipients.

Cons: The one-on-one style

- may be inefficient because several sessions must be held;
- usually rules out peer group learning and interaction;
- because of its informality, may understate the importance of consistent and complete compliance with the regulations; and
- may have less impact as a “one-shot deal” due to subrecipient staff turnover later on, lack of repetition, and absence of formal integration into the monitoring program.

Group Orientation Sessions

Monitoring or performance problems are not limited to inexperienced subrecipients.

An alternative, and often preferable, approach is to hold **group orientation sessions for multiple subrecipients at the beginning of every program year**. Since problems encountered during monitoring are not limited to “novice” subrecipients, it is a good idea to encourage attendance by both new and experienced agencies. This would include **at least**:

- new subrecipients
- new staff of current subrecipients
- current subrecipients that have problems
- current subrecipients that are undertaking new activities

You can invite even the most experienced subrecipients to attend, both to share their experience with their less seasoned counterparts and to learn about new program guidelines and regulations.

Frequently, the more seasoned subrecipients are flattered to be asked to share their expertise as part of the orientation. For enticing more reluctant agencies to attend, you can use a variety of other inducements:

- promise to hand out executed written Agreements (or amended Agreements) at the orientation;
- offer to explain new drawdown arrangements or forms;
- make attendance by appropriate individuals a consideration for future selection; and
- announce that you will couple orientation sessions with award ceremonies that recognize exceptional programs from the previous year.

Don't forget the Board of Directors. They are legally responsible for everything the subrecipient does, so they should know what's going on.

Who should represent the subrecipient?

For group orientation sessions, you can ask subrecipients to have more than one representative attend. For example, in addition to a non-profit's executive director, it may make sense to ask the organization's program specialist, chief fiscal officer, or a representative of the Board of Directors to attend (especially if the Board is unfamiliar with the program).

Some of the benefits and drawbacks of the annual, group approach to orientation sessions include:

Pros and Cons of Group Orientation Sessions

Yes, we hold regular orientation sessions. It's important to get everyone involved, because we all learn from each other.

-New York Area Grantee

Pros: Group sessions

- help to assure that large numbers of subrecipients get the *same message at the same time* (important for organizations experiencing staff turnover, or in need of a general review of CDBG program regulations);
- support a *structured agenda* aimed at major fiscal and program reporting responsibilities;
- encourage subrecipients to have *several staff* participate in the orientation, thereby increasing familiarity with program requirements *throughout the subrecipient organization*;
- generate exchange between seasoned and novice subrecipients, enabling newcomers to learn the *“real world” applications* of the regulations directly from the “old hands,” while old-timers can be challenged by the vigor of the novices; and
- communicate to subrecipients your *emphasis on understanding CDBG program rules and regulatory compliance*, by making the orientation a formal workshop and conducting it on an annual basis.

Cons: Formal orientation workshops

- tend to require *more effort to prepare*, coordinate, and deliver than do one-on-one sessions;
- lose some of their benefits *if subrecipients are unable to send more than one* representative;
- can make it *more difficult* to cover information that is *relevant to every organization* in attendance;
- make it *more difficult* to assess subrecipients' comprehension of the material and to adapt the material *to differences in comprehension*; and

- make it *more difficult* to get certain *key (higher level)* staff to attend.

A Tip for Structuring Orientation Sessions

USE THE SUBRECIPIENT AGREEMENT AS A TEACHING TOOL FOR SUMMARIZING CDBG PROGRAM REQUIREMENTS

Use the Subrecipient Agreement as one of the key training materials in any orientation session you conduct. As noted in Chapter 3, a well-written Subrecipient Agreement will summarize all the principal CDBG program requirements in easily readable language, and can serve as a “mini” training manual. By structuring your orientation session to make extensive use of the written Agreement, you emphasize the importance of this document and teach subrecipients to develop the habit of referring to the Agreement for guidance on CDBG program policies and procedures.

TRAINING SESSIONS

Training sessions can be issue-specific or activity-specific, but in either case, you should make your training goals clear to everyone at the outset.

An orientation workshop usually focuses on meeting general program requirements and addressing general topics that merit particular attention in the coming year.

Training sessions tend to *focus on specific CDBG topics, and examine topics at a much greater level of technical detail* than an orientation session does. For example, although the orientation will give subrecipients an overview of the entire program, many grantees hold periodic training sessions for groups of subrecipients on specific aspects of the CDBG program. On-going monitoring should tell you the topics on which your subrecipients need help.

Issue-Specific Training Topics

The topics you cover can be either issue-specific or activity-specific. Examples of issue-specific training topics include:

- basic financial underwriting for economic development;
- financial control systems and procedures (including Independent Public Accountant audits);
- record-keeping and reporting requirements (including documentation of eligible expenses and National Objective compliance);
- procurement methods;
- recruitment and hiring of staff;
- anti-discrimination requirements;
- program income;
- relocation/anti-displacement;
- Davis-Bacon Act/prevaling wage requirements;
- historic preservation;

- property appraisals;
- lead-based paint requirements;
- liens and recapture agreements; and
- accessibility requirements.

The common feature of the above training topics is that each one is relevant to **more than one type of CDBG-eligible activity**. For example, Davis-Bacon wages are applicable to most CDBG-assisted public facilities, residential, and commercial activities involving CDBG-financed construction contracts over \$2,000.

Train subrecipient and grantee staff in administrative systems using two publications available on the HUD Web site.

Because of their broad applicability, issue-specific training topics may be relevant to many (if not all) of your subrecipients. Materials for any or all of these subjects may be obtained from HUD. **The publication, Playing by the Rules-A Handbook for CDBG Subrecipients on Administrative Systems, and its companion piece, Training CDBG Subrecipients in Administrative Systems, are available from the CPD library on the HUD Web site at www.hud.gov. Both can serve as the centerpiece for grantee training of both subrecipient and grantee staff.**

Activity-Specific Training Topics

Training sessions can also focus on the requirements associated with specific activity areas. In these cases, the training will be relevant only to agencies that carry out the specified activity. For example, you might want to structure activity-specific training around the following topics:

- housing rehabilitation and development (including the use of escrow accounts);
- public and human services;
- economic development or commercial improvements;
- public facilities and infrastructure;
- administration or planning activities;
- acquisition, demolition, or disposition;
- special CBDO activities under 24 CFR 570.204; and
- Section 108 loan guarantees.

Issue- and Activity-Specific Training Combined

A third option is to provide training to a **subgroup of agencies that carry out specific activities** (e.g., public services, housing, economic development) but to **focus** on the generic requirements of the overall CDBG program.

The reason for using this approach is that certain kinds of activities are more likely than others to cause fiscal or program monitoring problems.

For example, the large CDBG programs that use many subrecipients to carry out acquisition, housing, and economic development activities are more likely to encounter problems with their subrecipients' basic administrative systems and overall performance than their smaller counterparts. They are therefore more likely to benefit from training the subrecipients responsible for these activities in general administrative requirements.

Many of these administrative problems can result in disallowances, interruptions in projects, and other serious problems. For this reason, you're better off avoiding the problem in the first place through effective training, instead of waiting until HUD finds a problem in your program.

Basic Training Objectives

- Compliance
- Performance
- Capacity

In designing training for subrecipients, keep your objectives in mind. Obviously, you want to **improve compliance with program rules and regulations** in order to avoid the monitoring findings, questioned costs, disallowances, or interruptions in funding.

In addition, you want the training to **enhance overall performance and the long-term capacity** of subrecipients to provide services to the community both efficiently and effectively.

**TRAINING DESIGN
CRITERIA**

Design all your training to meet the following three criteria that form the basis of all learning:

We usually hold a “networking” dinner after major annual training and hold an awards segment for the “best new CDBG project,” or “best CBO” director. It’s lots of fun.

-Enthusiastic Los Angeles Area Subrecipient

Relevance (What): Training must have some direct connection with the daily experience and concerns of subrecipients in terms of what they do. For example, you might teach non-profits rehabilitating low-income housing how to standardize their work write-ups to correspond to their Agreements and provide a basis for contract specifications.

Utility (How): Training must enable participants to acquire new skills, which they can apply to their activities to help increase productivity, reduce problems, or both. For example, non-profits can learn how to use the standardized work write-up on a computer, thereby saving an enormous amount of time while also reducing errors.

Motivation (Why): Training must make participants want to take action, change behavior, learn new ways of doing things, solve problems, or improve their performance. The time savings and use of new technology in the previous example enables the non-profit to streamline its entire approach to managing the rehabilitation process.

Without these three elements, training cannot be effective.

Learning by Doing

It has been said that people remember 10 percent of what they hear and 90 percent of what they do. As much as possible, your training should involve participants in problem-solving exercises, role-playing, simulations, small group discussions, and other hands-on activities that will involve them actively in the training.

If you lecture, give participants written summaries of key points. Use panels and oral presentations to feature successful examples in order to reinforce the relevance and the feasibility of your training goals.

The Appendix to this chapter provides an example of how you might structure a day-long training session on relocation and anti-displacement requirements for CDBG projects. The format covers various topics and methods organized around a single theme.

Scheduling and Location

Clearly, the convenience of the time and place of the training sessions is important for assuring attendance. It is also crucial to select a training site that fosters participation. Key features include adequate space for role playing and small group discussions, lighting, ventilation, furnishings, restrooms, audio-visual equipment and, if necessary, photocopying equipment.

Ideally, the training site should be accessible by both public transportation and private vehicles, provide parking, and accommodate disabled participants. Translation of written materials into other languages should be available where it is likely to be needed.

If the training is going to run for more than half a day, there should be a restaurant nearby or provision for participants to bring their own food and refreshments.

TECHNICAL ASSISTANCE

Typically, technical assistance is designed to correct a specific subrecipient weakness, either in performance of a particular CDBG-funded activity or in general administration. Technical assistance addresses well-defined functional areas. Some examples of technical assistance topics include:

For general administration:

- how to structure a line item budget and an administrative cost allocation system.

For economic development activities:

- how to document financial analysis and organize data collection from job applicants and employees in connection with economic development assistance to a for-profit corporation.

**Broaden the Scope of
Technical Assistance**

The first task is to solve the problem; the next is to motivate overall improved performance.

“Effective monitoring programs require frequent site visits and field audits. Technical assistance is the same. It helps to be where the action is.”

-St. Louis Area Grantee

**Standards for Delivering
Technical Assistance**

For housing rehabilitation activities:

- how to conduct a home inspection, prepare a work write-up, test for lead-based paint, and measure progress toward project goals.

Technical assistance tends to be reactive, aimed at correcting existing subrecipient problems. Whenever possible, however, you should broaden the focus to emphasize the importance of overall program quality and constant improvement by providing subrecipients with new knowledge and skills.

Technical assistance is frequently offered “on-site” (that is, at the location where program operations occur). While on-site, the person(s) providing the assistance may:

- demonstrate approved techniques.
- observe subrecipient staff in their normal activities and then recommend ways to improve operations.

While technical assistance is generally conducted on a one-on-one (grantee-to-subrecipient) basis, you can also assemble several staff from one subrecipient, or staff from several subrecipients, at a single location where you can pass out and explain materials or present demonstrations of materials or techniques. Technical assistance can also be provided to individual subrecipients by telephone, for instance, when the subrecipient has a question about filling out a form or implementing an administrative procedure.

Technical assistance is the most frequent training-related contact between grantees and subrecipients, and it is often conducted by grantees in response to a specific request from a subrecipient. In order to provide the best possible response, make sure you adhere to the following five guidelines:

- ❑ **Provide a reasonable response time:** Making subrecipients wait weeks for help sends a strong message that you don’t think their request is important.
- ❑ **Be relevant:** Make sure that the technical assistance you provide addresses the questions the subrecipient has raised and not merely the topics you feel are important. Deal first with the issues on their minds, before addressing your concerns or HUD’s.
- ❑ **Provide accurate information:** Nothing frustrates a subrecipient more than getting incorrect information from a grantee. If your staff are not sure of the correct answer to a question, they should say so, and then take the time to get the proper answer or interpretation before passing it on.

- **Consider the subrecipient’s level of expertise and resources:** Technical assistance is supposed to clarify, instruct or correct matters for subrecipients, not confuse or place unrealistic demands on them. It does little good to recommend high-powered accounting software to a subrecipient that does not have access to a computer. Similarly, the guidance you offer to satisfy technical or regulatory requirements should be consistent with the funds, time, and staffing level the subrecipient has available for meeting them.
- **Assess subrecipient comprehension:** Always test the subrecipient’s understanding of the information you provide. One way of doing this is to ask subrecipient staff to give their opinion of how they would apply the new technical information or skills to a hypothetical situation.

Keep in mind that *technical assistance is usually not a one-time event*. Allow the subrecipient staff some time to apply the knowledge or the skills covered by the technical assistance in the work place; then re-visit them to determine how well they learned the lessons and how confident they feel about having mastered the new information or skills after some “real world” testing.

A Tip for Conducting Technical Assistance in Anticipation of Monitoring a Subrecipient

One objective of technical assistance is to help subrecipients avoid monitoring “findings.” As a strategy for achieving this, some grantees conduct a **pre-monitoring technical assistance visit** to subrecipients. During the visit, grantee staff identify all the areas that formal monitoring will cover, and provide an initial, informal assessment of the adequacy of the subrecipient’s systems, procedures, and records. If scheduled several months before the formal monitoring is to occur, these pre-monitoring TA visits give the subrecipient time to correct possible deficiencies so as to avoid written findings. It also gives them the opportunity to raise questions with the grantee outside of the formal monitoring process when the participants are likely to be more defensive. Subrecipients tend to feel better about the effort that they have put in to comply with program regulations. At the same time, the grantee can demonstrate to HUD that the regulations have been satisfied.

MEASURING SUBRECIPIENT PROGRESS

There are many ways to measure the effectiveness of your orientation, training, and technical assistance efforts. For example, you can examine:

- the number of new monitoring findings that occur among subrecipients after you have provided them with orientation, training, or technical assistance; or

- changes in subrecipient productivity for activities that you addressed in orientation, training, and technical assistance sessions.

Getting feedback is an essential part of successful orientation, training and technical assistance. You can use

- ❑ ***Evaluation forms***
- ❑ ***Telephone***
- ❑ ***Questionnaires***
- ❑ ***Annual surveys***

But keep them simple; ask for suggestions about how technical assistance materials can be improved; allow anonymous responses to ensure candor.

Another way to assess your orientation training and technical assistance capacity is to ask subrecipients how valuable and relevant they thought your training and technical assistance were. Soliciting their opinion in a formal, serious manner will show them that you care about whether they benefited from your efforts and that you really want to provide assistance they can use to make their job easier and more productive. Showing this concern will help motivate subrecipients to want to continue learning from you, because they will realize you really do have something of practical benefit to offer them.

Above all, let them know how much their success and their opinions about orientation, training, and technical assistance matter to you.

NOTES:

CHAPTER 4: APPENDIX

- Sample Training Curriculum on Relocation, Real Property Acquisition, and One-For-One Housing Replacement in CDBG Projects (and Related Materials)4-15
- Sample Handout: Summary of Major Differences Between 104(d) and URA Relocation Assistance4-20
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NOTE TO GRANTEEES: The requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and the Relocation Assistance Plan under section 104(d) of the Housing and Community Development Act of 1974 (HCDA of 1974) are very complicated and technical. When the grantee executes the required certifications, it assures that all statutory and regulatory requirements will be met. Regardless of the tasks delegated to a subrecipient, the grantee remains liable for any costs arising from noncompliance with the law or regulations. For these reasons, HUD believes that few subrecipients will have or acquire the expertise to carry out all these requirements and that generally it is not in the interest of the grantee to delegate completely the tasks required under these laws. Before conducting any training for subrecipients on this subject, the grantee must decide exactly which functions it will perform and those it expects the subrecipient to perform.

Sample Training Curriculum on Relocation, Real Property Acquisition, and One-For-One Housing Replacement in CDBG Projects

9:00 a.m. – 9:15 a.m. **Introduction and welcome**

9:15 a.m. – 10:30 a.m. **Applicable regulatory requirements**

OVERVIEW: Presentation on key legislation and regulations

a. **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)**

- The government-wide regulations are found at 49 CFR part 24, as referenced in the CDBG regulations at 24 CFR 570.606(b)(1).
- Changes to the government-wide regulations were effective February 3, 2005.
- For questions on real property acquisition and relocation, contact your HUD Field Office or the HUD Regional Relocation Specialist responsible for your geographic location as identified at www.hud.gov/relocation.

b. **Section 104(d) Relocation Requirements (“Barney Frank Amendments” to Title I of the Housing and Community Development Act of 1974)**

- Section 104(d) relocation requirements differ from URA in several ways, including eligibility for assistance and extent of assistance provided.

c. **Other Relocation Requirements**

- Program regulations at 24 CFR 570.606 and 24 CFR Part 42 specify additional relocation requirements (e.g., temporary relocation).

These Federal laws and regulations require that whenever there is a need to relocate property occupants on a permanent or temporary basis, all affected occupants must be notified as early as possible about their rights to relocation payments and other assistance.

Section 104(d) requires the community to certify that it is following a Residential Anti-Displacement and Relocation Assistance Plan. The Plan requires the grantee to: 1) outline the steps that will be taken to minimize displacement; 2) replace, on a one-for-one basis, all occupied and vacant occupiable low- and moderate-income housing units lost due to demolition or conversion (although replacement is not necessary if HUD determines there is an adequate supply of standard low- and moderate-income housing in the community); and 3) provide relocation assistance for low- and moderate-income occupants. The replacement plan must ensure that the replacement housing will be: provided within 3 years of commencement of the assisted activity; located in the same community; sufficient in size and number to house no fewer than the number of occupants who could have been housed in the demolished converted units; in standard condition; and designed to remain low and moderate income for 10 years.

10:30 a.m. – 10:45 a.m.

Break

10:45 a.m. – 12:00 noon

Roles, Procedures, and Types of Assistance

Presentation on grantee and subrecipient roles relative to relocation and real property acquisition:

Functions that the grantee should routinely undertake itself are:

- The issuance of notices of eligibility for relocation assistance.
- The provision of advisory services to businesses.
- Social service referrals for difficult cases.
- Review and approval of relocation claims and processing of relocation payments.
- Processing of appeals.
- Maintaining records sufficient to demonstrate compliance with the relocation and real property acquisition requirements. (To maintain complete records, the grantee will need to be copied on correspondence, etc., from subrecipients.)

Specific functions that subrecipients normally can be expected to perform:

- Identify occupants of the property when consideration of project proposal is initiated (e.g., obtain copy of “rent roll”).

- Identify persons moving into the property after consideration of the project is initiated.
- Survey tenants to gather information on household size, income, housing needs and preferences. [Grantee should explain in detail exactly what is expected of subrecipients, e.g., how to survey tenants and collect information on household size, income, etc.]
- Issue general information notice.
- Coordinate with grantee on referrals to suitable and comparable replacement housing and provide transportation to inspect the housing.
- Identify suitable housing for the temporary relocation of persons not displaced.
- Issue timely Notices of Non-displacement.
- Coordinate with grantee to permit grantee to issue timely Notices of Eligibility for relocation assistance.
- Coordinate with grantee to permit timely grantee processing of relocation claims.

[Grantee should supply information booklets, guideform general information notices and guideform Notices of Eligibility and/or Non-displacement (if applicable) to the subrecipients and answer questions about the materials.]

Additional information on forms and amounts of assistance:

Discussion of differences in assistance available under 104(d) versus URA: Section 104(d) assistance is similar to that under URA, although Section 104(d) also allows for relocation payments for security deposits and credit checks and provides for replacement housing payments for a longer time period (60 months versus 42 months under URA). [See “Sample Handout” in this Appendix.]

Discussion of formulas to compute residential relocation assistance payments: moving and related expenses (fixed moving and dislocation allowance or actual moving expenses and related costs); replacement housing payments (URA formula versus Section 104(d) formula).

Discussion of available Section 8 assistance and HOME tenant-based rental assistance.

Presentation on specific requirements for temporary residential relocation: notice of non-displacement; definitions of suitable temporary housing; exceptions for owner-occupants.

12:00 noon – 1:00 p.m.

Lunch break

1:00 p.m. – 1:30 p.m.

Exercise on temporary residential relocation

Exercise could involve presenting the participants with several brief hypothetical examples of temporary relocation, asking them to comment on process, range, and levels of assistance provided.

1:30 p.m. – 2:00 p.m.

Presentation on procedures for residential displacement

Discussion of procedures, including: informing occupants and manner of notice; advisory services to persons to be displaced; identification and referrals to comparable replacement housing; moving into replacement housing; processing claims and making payments; appeal procedures; and respective roles of grantee and subrecipient.

2:00 p.m. – 2:45 p.m.

Exercise on residential displacement

Participants could be given a scenario involving probable displacement of residential property occupants, and asked to describe the process that should be followed to ensure adequate replacement housing and the respective roles of the grantee and the subrecipient in that process. Participants also examine the long- and short-term costs of alternate approaches.

2:45 p.m. – 3:00 p.m.

Break

3:00 p.m. – 3:30 p.m.

Presentation on requirements and procedures for business relocation

Discussion of differences between residential and business relocation assistance under URA; differences between actual and fixed payments; business owner options to remain in business or go out of business, and the assistance available in each case; and limits to assistance in finding suitable replacement business locations.

3:30 p.m. – 4:00 p.m.

Exercise on business relocation

4:00 p.m. – 4:30 p.m.

Record-keeping requirements for relocation/displacement assistance

4:30 p.m. – 5:00 p.m.

Summary of key points, additional questions & answers, and feedback

Grantee should close session by providing name and telephone number of grantee staff member(s) who will be responsible for providing assistance on relocation, property acquisition, and one-for-one housing replacement matters.

ATTACHMENTS:

- Sample Handout Comparing 104(d) and URA Relocation Assistance
- Sample List of HUD Written Materials on Relocation

SAMPLE HANDOUT

**SUMMARY OF MAJOR DIFFERENCES
 BETWEEN 104(d) AND URA RELOCATION ASSISTANCE**

PART I. ELIGIBILITY FOR ASSISTANCE

Subject	Section 104(d)	URA/HUD Program Regulations
Income Requirements	Only lower-income persons are assisted.	Displaced persons of all incomes are eligible.
Person displaced by rehabilitation activities (including economic displacement).	Displaced persons are eligible only if the market rent (including utilities) of the unit before rehab did not exceed the Section 8 Existing Housing Fair Market Rent (FMR) and the market rent after rehab was above the FMR.	Displaced persons are eligible for assistance regardless of pre- and post-rehabilitation rents. (URA does not cover economic displacement, but HUD program regulations require assistance equivalent to URA.)
Economic Displacement Criteria	Displaced person is eligible if not offered a suitable unit at or below the greater of: <ul style="list-style-type: none"> • Total Tenant Payment; or • Old rent/utility costs. 	Displaced person is eligible if not offered an appropriate unit at or below the greater of: <ul style="list-style-type: none"> • 30% of gross income; or • old rent/utility costs NOTE: 30% of gross income is the general policy; rules vary by program.
Person displaced by <u>conversion</u> of unit to a nonresidential use.	Displaced person is eligible only if the market rent (including utilities) of the displacement unit did not exceed the FMR before conversion.	Displaced person is eligible for assistance by any conversion to a nonresidential use.
Person displaced by <u>demolition</u> .	Displaced person is eligible regardless of pre-demolition market rent.	Displaced person is eligible regardless of the pre-demolition market rent.
Person displaced by <u>acquisition</u> only (no conversion).	Displaced person is not eligible.	Displaced person is eligible.

SAMPLE HANDOUT (Continued)

**SUMMARY OF MAJOR DIFFERENCES
 BETWEEN 104(d) AND URA RELOCATION ASSISTANCE**

PART II. AMOUNT OF ASSISTANCE PROVIDED

Subject	Section 104(d)	URA/HUD Program Regulations
Rental Assistance Term	60 Months	42 Months
Rental Assistance Payment	Amount needed to reduce new rent/utility costs to Total Tenant Payment, which is usually greater of: <ul style="list-style-type: none"> • 30% of adjusted monthly income, or • 10% of gross monthly income. 	Amount needed to reduce new rent/utility costs to the lower of: <ul style="list-style-type: none"> • Old rent/utility costs; or • 30% of gross monthly income (varies by program).
Use of Section 8 Rental Assistance	If Section 8 assistance and suitable referrals are offered, displaced person cannot insist on cash replacement housing payment. (But tenant may request cash replacement housing payment under URA.)	Displaced person has the right to a cash replacement housing payment but may accept Section 8 assistance if it is offered.
Other Housing Assistance	Assistance includes security deposit at replacement dwelling.	Assistance does not include security deposit.
Homeownership Assistance	Limited to purchase of cooperative or mutual housing and based on present (discounted) value of 60 monthly rental assistance payments.	Not limited to cooperative or mutual housing. Payment equals 42x monthly rental assistance payment (i.e., not discounted).
Moving and Rental Expenses	Same as URA.	Person may choose either: <ul style="list-style-type: none"> • Payment for actual moving and related expenses; or • Alternative Allowance based on DOT schedule.
Advisory Services	Same as URA.	Comprehensive services provided.

SAMPLE LIST OF WRITTEN MATERIALS

**RELOCATION AND REAL PROPERTY ACQUISITION IN HUD-ASSISTED PROGRAMS -
GUIDANCE MATERIALS**

The following HUD materials are available to help grantees implement relocation and real property acquisition requirements in HUD-assisted programs. The materials were current as of the date this Guidebook was printed, but may be updated, as appropriate, due to changes to the URA regulations that were effective February 3, 2005.

1. **URA INFORMATION BOOKLETS.** Under the URA, grantees are required to provide advisory information to persons to be displaced and the owners of property to be acquired, explaining their rights and the assistance to which they are entitled. The following four information booklets meet the generic information requirements. These booklets are optional. Grantees may develop and distribute their own information booklets, provided they meet applicable requirements. These booklets are available on HUD's website at www.hud.gov/relocation.
 - a. *When a Public Agency Acquires Your Property* (HUD-1041-CPD) (1/03).

Spanish Title: *Cuando Una Agencia Publica Adquiere Su Propiedad* (HUD-1041-CPD-1) (3/03).
 - b. *Relocation Assistance to Displaced Homeowners* (HUD-1044-CPD) (9/02).

Spanish Title: *Asistencia Para La Reubicación a Propietarios de Vivienda Desplazados* (HUD-1044-CPD-1) (3/03).
 - c. *Relocation Assistance to Tenants Displaced From Their Homes* (HUD-1042-CPD) (9/02).

Spanish Title: *Asistencia Para La Reubicación a Inquilinos Desplazados de Sus Hogares* (HUD-1042-CPD-1) (3/03).
 - d. *Relocation Assistance to Displaced Businesses, Non-profit Organizations and Farms* (HUD-1043-CPD) (9/02).

Spanish Title: *Asistencia Para La Reubicación a Negocios, Organizaciones No Lucrativas y Granjas Desplazados* (HUD-1043-CPD-1) (3/03).
2. **SECTION 104(d) INFORMATION BOOKLET.** This booklet, *Relocation Assistance Under Section 104(d) to Persons Displaced From Their Homes* (HUD-1365-CPD) (3/02), explains a tenant's rights and the assistance available to the tenant if he/she is displaced by an action subject to Section 104(d) of the HCDA of 1974, as amended. A Spanish version,

Asistencia Para La Reubicación a Personas Desplazadas de Sus Viviendas (Sección 104 (d)) HUD-1365-CPD-1, is also available.

3. **RELOCATION CLAIM FORMS.** In order to obtain the relocation payment(s) for which he or she is eligible, a displaced person must file a claim. The grantee must provide the person whatever assistance is necessary to prepare such claims. The following claim forms meet all HUD requirements. A grantee may utilize these forms or design its own forms.
 - a. *Claim for Moving and Related Expenses — Families and Individuals* (Form HUD-40054) (10/02).
 - b. *Claim for Actual Reasonable Moving and Related Expenses — Businesses Non-profit Organizations and Farm Operations* (Form HUD-40055) (10/02).
 - c. *Claim for Fixed Payment in Lieu of Payment for Actual Moving and Related Expenses—Businesses, Non-profit Organizations and Farm Operations* (Form HUD-40056) (10/02).
 - d. *Claim for Replacement Housing Payment for 180-Day Homeowner* (Form HUD-40057) (10/02) (URA only).
 - e. *Claim for Rental Assistance or Down Payment Assistance* (Form HUD-40058) (10/02) (URA only).
 - f. *Reclamo Para Asistencia para el Alquiler o Asistencia para el Pago (Bi-lingual)* (Form HUD-40058-S).
 - g. *Claim for Rental or Purchase Assistance under Section 104(d) of the Housing and Community Development Act of 1974, as amended* (Form HUD-40072) (2/02).
4. **FORM HUD-40061 (2/02), SELECTION OF MOST REPRESENTATIVE COMPARABLE REPLACEMENT DWELLING.** This form assists grantees in selecting the comparable replacement dwelling to be used to establish the upper limit of a replacement housing payment.
5. **SCHEDULE FOR DETERMINING THE FIXED MOVING EXPENSE AND DISLOCATION ALLOWANCE.** These statewide schedules establish moving expense and dislocation allowances for persons displaced from a dwelling by a project subject to the URA and/or Section 104(d) of the HCDA of 1974. A new schedule is published periodically in the Federal Register by the Department of Transportation and can be found at its web site at www.fhwa.dot.gov/realestate/fixsch96.htm.