

Residential Anti-displacement & Relocation Assistance Plan (RARAP) Requirement

This Residential Anti-displacement and Relocation Assistance Plan (RARAP) is prepared by the County of San Bernardino in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our NSP, CDBG1, UDAG and/or HOME-assisted projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act, the County of San Bernardino intends to take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs to help identify critical repairs (health & safety) that will extend the useful life of a home.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants (i.e., prioritizing repair of health and safety concerns over cosmetic issues).
- Develop public facilities projects (water, sewer, gas, etc.) in a manner that will not displace any residences.
- Seek expertise from season contractors and relocation consultants to help identify creative solutions to minimizing displacement.
- Retain relocation consultant on site specific project's to evaluate methods of minimizing displacement.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units.
- Place priority funding for housing rehabilitation versus demolition.
- Develop rehabilitation program to assist financially with housing maintenance before development is beyond rehabilitation.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Administer the Tenant Temporary Relocation guidelines, which ensures that the terms and conditions of any temporary displacement allows the displaced person to return to the same or comparable unit, at the same rent at the completion of the project. Provide any and all assistance needed to help the displaced person find appropriate temporary housing and be reimbursed for all out of pocket expenses.
- Evaluate adoption of policies to help identify and mitigate displacement resulting from intense public investment.
- Evaluate adoption of policies to provide reasonable protections for tenants faced with conversion to a condominium or cooperative.

- Evaluate adoption of tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
- Establish counseling services to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization.

This overall consideration process will help minimize displacement of people. In regards to site specific projects, this evaluation will occur during the diligence/application process to assess displacement potential at an early project stage and a more detailed displacement/relocation plan if the project goes forward. The Lead Project Manager or a qualified third party consultant will be retained to assess the displacement concerns. The County of San Bernardino's modus operandi is to contract with consultants to assess displacement concerns as earliest in the process as feasible. This enables the County to have additional expertise in area of minimizing displacement. The County understands that in some cases retaining a consultant early in the process may not be possible. In such cases, County staff will conduct the initial site inspections and tenant survey to assess the complexity of the project until housing displacement/relocation consultant is contracted.

It is the County's desire to minimize displacement by giving priority funding to projects that have zero (non-occupied housing developments) to minimal displacement potential, as the primary development goal is to rehab housing to provide a decent, safe, sanitary, and affordable place to live. However, the County would consider funding a demo/occupied project if the replacement housing is significant in comparison to the unit demo i.e., 20 units provided per unit demo. Factors in making a final decision include if the property is deemed essential to the need or success of the overall project (i.e., the unit materially impacts the circulation of the proposed development, the unit is architecturally incompatible with the new development and surrounding area, etc.) and the disrepair condition of the unit (i.e., not structurally sound, repair exceeds new construction cost, etc.).

Relocation Assistance to Displaced Persons

The County of San Bernardino will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the [CDBG and/or HOME] Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

One-for-One Replacement of Lower-Income Dwelling Units

The County of San Bernardino will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the [CDBG and/or HOME] Program[s] in accordance with 24 CFR 42.375.

Before entering into a contract committing the County of San Bernardino to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the County of San Bernardino will make public by publication in a newspaper of general circulation and submit to HUD [the State, under the State CDBG and/or HOME Program(s)] the following information in writing:

A description of the proposed assisted project; the address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project; a time schedule for the commencement and completion of the demolition or conversion; to the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 42.375(d).

The source of funding and a time schedule for the provision of the replacement dwelling units; the basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the County of San Bernardino will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the County of San Bernardino may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The Community Development and Housing Department – Housing Division (909-387-4411) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.