

St. Clair County Residential Anti-Displacement & Relocation Assistance Policy

Purpose and Summary

This policy outlines St. Clair County’s commitment to minimizing displacement and ensuring appropriate relocation assistance in connection with HUD-funded activities including those under the HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) Program, Community Development Block Grant–Disaster Recovery (CDBG-DR), HOME-American Rescue Plan Program (HOME-ARP), and Continuum of Care (CoC) . This policy outlines the County’s approach to complying with federal requirements and regulations governing residential anti-displacement and relocation assistance across both formula and disaster recovery programs.

Subrecipient Responsibilities and Universal Notice Compliance

St. Clair County requires all subrecipients receiving HUD funds—including those under the HOME, CDBG, CDBG-DR, HOME-ARP, and CoC programs—to comply with this Residential Anti-Displacement and Relocation Assistance Policy. Subrecipients must:

- Develop project-specific Residential Anti-Displacement and Relocation Assistance Plans (RARAPs) when applicable;
- Take reasonable steps to minimize displacement;
- Provide required relocation assistance in accordance with Section 104(d) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA);
- Comply with HUD’s Universal Notice requirements, including timely written notification to affected persons, eligibility determination, and documentation of efforts to minimize displacement;
- Align their plans with the County’s Consolidated Plan and applicable HUD regulations.

The County will provide technical assistance and conduct monitoring to ensure subrecipient compliance and consistency across funded projects.

Regulatory Authority and Program Applicability

Section 220(b) of the [Housing and Community Development Act of 1992](#) amended section 105(b) of the [Cranston-Gonzalez National Affordable Housing Act](#) to require a participating jurisdiction (PJ) and Entitlement Communities to certify as part of its Comprehensive Housing Affordability Strategy (CHAS) that it is following a Residential Anti-displacement and Relocation Assistance Plan (RARAP) under its [HOME Investment Partnerships Program](#) (HOME) that is equivalent to the Plan required for the [Community Development Block Grant Programs](#) (CDBG) Program under section 104(d) of the Housing and Community Development Act of 1974.

The requirement is codified in [24 CFR Part 91](#) per the Final Rule published March 12, 1993.

The requirements for a RARAP under the CDBG, [Section 108 Loan Guarantee Program](#), Community Development Block Grant–Disaster Recovery (CDBG-DR), HOME-American Rescue Plan Program (HOME-ARP), and Continuum of Care (CoC) programs are set forth in applicable HUD regulations, including [24 CFR 570.606](#), [24 CFR 92.353](#), and HUD relocation guidance. These requirements ensure that recipients of HUD assistance:

- 1) Identify the reasonable steps it will take to minimize the displacement of families and individuals from their homes as a result of an assisted project.
- 2) Replace all occupied and vacant occupiable "lower income housing" that is converted to a use other than "lower income housing" or is demolished for a project.
- 3) Provide relocation assistance to lower income families and individuals displaced as a direct result of the conversion of lower income housing or the demolition of any housing for a project.

To ensure consistency in the application of residential anti-displacement and relocation assistance requirements across HUD programs, agencies must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) at [49 CFR Part 24](#) and [Section 104\(d\) of the Housing and Community Development Act of 1974, as amended \(see 42 USC 5304\(d\)\)](#), as implemented in [24 CFR Part 42](#).

These requirements apply to HUD-funded programs including the HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) Program, Community Development Block Grant–Disaster Recovery (CDBG-DR) Program, HOME-American Rescue Plan Program (HOME-ARP), and the Continuum of Care (CoC) Program, when applicable. Program-specific regulations and guidance determine whether URA and/or Section 104(d) apply based on the nature of the activity and the population affected.

Removal of Dilapidated Housing

The current rule, applicable to the CDBG Program, requires recipients to replace vacant, dilapidated housing that is not suitable for rehabilitation if the unit was occupied at any time within the period beginning one year before the execution of the contract covering the demolition. The current rule has the effect of preventing or delaying the demolition of run-down vacant buildings that are a danger to the public health and safety. For this reason, and because the removal of vacant, dilapidated housing that is clearly not occupiable does not diminish the available useful supply of lower income housing, the 12-month period would be reduced to 3 months when justified.

HUD guidance allows grantees to document the service area benefiting from demolition activities to demonstrate compliance with the Low- and Moderate-Income Area Benefit (LMI) [CDBG National Objectives](#). Demolition may also be eligible under clearance activities when aligned with public health and safety goals.

CDBG-DR Waivers and Alternative Requirements

For projects funded under the Community Development Block Grant–Disaster Recovery (CDBG-DR) Program, HUD has issued waivers and alternative requirements related to

Section 104(d) to facilitate timely recovery and reduce administrative burden.

Key differences include:

- HUD may waive the requirement to replace demolished or converted lower-income housing under Section 104(d), depending on the nature of the disaster and the approved Action Plan.
- Grantees may be permitted to provide URA-only relocation assistance, rather than both URA and Section 104(d) assistance.
- The Universal Notice for CDBG-DR outlines specific requirements for notifying displaced persons and documenting efforts to minimize displacement.
- Grantees must describe their approach to minimizing displacement and addressing accessibility needs in the CDBG-DR Action Plan.

Grantees should consult the Consolidated Notice, applicable Federal Register notices, and HUD guidance to determine which waivers and alternative requirements apply to their CDBG-DR-funded projects.

Homeless Shelters and Other Public Facilities

Under current policy applicable to the CDBG program, changing lower income housing into overnight emergency shelters, nursing homes, battered spouse shelters, halfway houses, group homes and transitional shelters constitutes "conversion" even if the "market rent" of the shelter housing upon completion of the project does not exceed the Section 8 FMR.

HUD continues to treat such conversions as subject to [Section 104\(d\)](#) requirements. Jurisdictions must ensure that replacement housing is provided when required and that conversions align with the housing needs and priorities identified in the HUD-approved [Consolidated Plan](#).

These requirements apply to CDBG-funded projects and may also apply to activities funded under Community Development Block Grant–Disaster Recovery (CDBG-DR), HOME-American Rescue Plan Program (HOME-ARP), or the Continuum of Care (CoC) Program, depending on the nature of the conversion and the population affected. Grantees should consult program-specific guidance to determine whether Section 104(d) or URA applies.

For CDBG-DR projects, HUD may issue waivers or alternative requirements related to Section 104(d) to facilitate disaster recovery. Grantees must describe their approach to minimizing displacement and providing relocation assistance in the CDBG-DR Action Plan, and may be required to amend or create a separate RARAP for CDBG-DR purposes.

All conversions must comply with HUD's [Universal Notice](#) requirements, including timely notification to affected persons and documentation of efforts to minimize displacement.

St. Clair County Residential Anti-Displacement & Relocation Assistance Plan

Minimize Displacement

Consistent with the goals and objectives of activities assisted under HUD-funded programs—including the HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) Program, Community Development Block Grant–Disaster Recovery (CDBG-DR), HOME-American Rescue Plan Program (HOME-ARP), and Continuum of Care (CoC) Program—St. Clair County will 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.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Adopt 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 centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling

units” (as defined in [24 CFR 42.305](#)).

- Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

St. Clair County will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG, CDBG-DR, HOME, HOME-ARP, or CoC programs, 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.

- Relocation assistance for lower-income tenants will be provided in accordance with Section 104(d) of the Housing and Community Development Act and [24 CFR 42.305](#).
- Displaced persons who are not lower-income tenants will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and implementing regulations at [49 CFR Part 24](#).
- For CDBG-DR-funded projects, HUD may waive Section 104(d) requirements, allowing the County to provide URA-only relocation assistance. These waivers will be documented in the County’s CDBG-DR Action Plan.

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

St. Clair County 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, CDBG-DR, HOME, HOME-ARP, or CoC programs, in accordance with [24 CFR 42.375](#), unless HUD has granted a waiver.

Before entering into a contract committing funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the county will:

- Make public the required information via publication in a newspaper of general circulation and/or posting on the County’s website;
- Submit to HUD (or the State, if applicable) the following in writing:
 - 1) A description of the proposed assisted project;
 - 2) 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;
 - 3) A time schedule for the commencement and completion of the demolition or conversion;
 - 4) 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.

- 5) The source of funding and a time schedule for the provision of the replacement dwelling units;
- 6) 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
- 7) 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\(b\)](#)

If specific data for items 4–7 is not available at the time of submission, the County will provide general location information and update HUD as soon as details are available.

Replacement not Required Based on Unit Availability

Under [24 CFR 42.375\(d\)](#) the St. Clair County may submit a request to HUD (or to the State, if applicable) 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 St. Clair County Community Development Division is responsible for:

- Tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.
- Providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

For questions or assistance, contact:

Community Development Division

Phone: [Insert number]

Email: [Insert email]

Website: [Insert link if applicable]

Revision History

Revision Date	Description
Revisions adopted	9.2.2025