DIGITAL RESOURCE MANUAL: URA 101

49 CFR Part 24: The URA

49 CFR Part 24 is the government-wide regulation that implements the URA, but HUD Handbook 1378 provides HUD policy and guidance on implementing the URA and 49 CFR Part 24 for HUD-funded programs and projects, including CDBG-DR. HUD is developing a self-paced training course titled URA the HUD Way that clearly explains the URA as it impacts HUD grantees specifically. CDBG-DR grantees and their subrecipients should refer to this training and its associated resources to ensure their own programs comply with the URA.

Key Point

MAP-21 is the latest URA amendment, which became effective in 2014. Although 49 CFR Part 24 is still being updated, grantees must comply with all MAP-21 requirements.

Analysis: 49 CFR Part 24

What it Means?

- Any CDBG-DR project that includes acquisition of a property, including public right-of-way for infrastructure, must follow the URA requirements to protect the rights of the property owner when federal funds are included in the project. CDBG-DR funded projects are required to follow either the voluntary or involuntary process which involves the issuance of required notices to the seller, a required process to determine the value, and at all times must ensure the seller has been informed of their rights and benefits under URA.
- Properties that receive CDBG-DR funding and include occupants must follow the URA requirements related to Relocation to ensure that all occupants receive fair treatment and all URA benefits. CDBG-DR projects will need to identify when properties include occupants and have a relocation plan in place to ensure they can document compliance with URA.

Keep in Mind

- CDBG-DR recipients need to develop written policies and procedures that include a detailed approach to identifying which projects trigger URA compliance.
- Planning for URA includes identifying risks and determining the appropriate level of action such as voluntary or involuntary acquisition, whether the project includes occupants, and whether the scope of work will require occupants to be temporarily or permanently displaced.
- Temporary relocation assistance may be offered at the discretion of subrecipients or the state. The cap will be set at $5,000 for temporary relocation services for up to 3 months.
- Program budgets need to include funding to cover URA costs and timelines will need to incorporate URA steps such as the issuance of notices and the provision of advisory services.
- Project files must document that URA compliance was ensured for all occupants and sellers of property. Files should include evidence of all notices being provided as prescribed and include a receipt to document that each person received the required notice.
- CDBG-DR projects should follow the TX GLO's URA policies and procedures and use approved sample forms for the issuance of notices and project documentation such as the calculation of replacement housing payments, inspections for replacement units, and determining if a project is eligible to use the voluntary or involuntary acquisition process.

Resource List

Below is a quick listing of resources that are accessible, relevant and valuable. Icon ( ) denotes the most relevant resources at the URA 101 level.

CDBG-DR Resources	Links
CDBG-DR Overview	https://www.hudexchange.info/resources/documents/CDBG-Disaster-Recovery-Overview.pdf
URA Regulations: 49 CFR § 24	https://www.hudexchange.info/resource/804/ura-and-real-property-acquisition-policies-act-49-cfr-part-24/
HUD Handbook 1378: Tenant Assistance, Relocation, & Real Property Assistance	https://www.hudexchange.info/resource/310/hud-handbook-1378-tenant-assistance-relocation-and-real-property-acquisition/
Federal Register regarding various regulations that have changed for HUD programs	https://www.govinfo.gov/content/pkg/FR-2015-12-07/pdf/2015-29692.pdf
"URA the HUD Way" Web Training Module 1 (additional modules forthcoming)	https://www.hudexchange.info/hudexchange-portal/lms/?originalURL=%2Fgeonext%2Fhudexchangelearn%2Fquicklaunch%2Egeo%3Fid%3D22507944017%26returnUrl%3Dhttps%3A%2F%2Fgm1%2Egeolearning%2Ecom%2Fgeonext%2Fhudexchangelearn%2Fcoursesummary%2ECourseCatalog%2Egeo%3Fid%3D22507944017
CDBG-DR Subrecipient and Recordkeeping	https://www.hudexchange.info/course-content/2016-cdbg-dr-subrecipient-management-and-recordkeeping-webinar/2016-CDBG-DR-Subrecipient-Management-and-Recordkeeping-Webinar-Slides-2016-05-16.pdf
CPD Monitoring Handbook 6509.2: Monitoring CPD Programs for Compliance with 2 CFR § 200	https://www.hud.gov/program_offices/administration/hudclips/handbooks/cpd/6509.2
Notice CPD-08-02: Relocation and Real Property Acquisition Requirements	https://www.hudexchange.info/resources/documents/Notice-CPD-08-02-Relocation-Acquisition-Disaster-Areas.pdf
URA 104(d) Relocation Comparison Chart	https://www.hud.gov/sites/documents/1378EXHIBIT7-1CPDH.PDF
MAP-21 Guidance	https://www.hudexchange.info/resource/3853/notice-cpd-14-09-effective-date-for-map-21-changes-to-ura/
URA and Real Property Acquisition Policies Act FAQs	https://www.fhwa.dot.gov/real_estate/policy_guidance/uafaqs.cfm
URA Fixed Residential Moving Cost Schedule	https://www.hudexchange.info/resource/204/federal-register-notice-ura-fixed-residential-moving-cost-schedule/

Pertinent Citations

- 49 CFR §24 *URA for Federal and Federally-assisted Programs*
- 24 CFR §42 *URA for HUD and HUD-assisted Programs*
- 24 CFR §570 *Community Development Block Grants*

Key Point

Citations to the Code of Federal Regulations in the Federal Register are cited with the title number, the abbreviation CFR, the word "part" or the symbol "§" for section, and the number of the part or section.

As in "24 CFR part 570" or "24 CFR §570"

Glossary

HUD has many existing resources in place to help understand CDBG-DR laws, regulations and practices. Below is a quick listing of resources that are accessible, relevant, and valuable.

90-Day Notice	Informs displaced persons of the earliest date by which they will be required to move. This notice may not be issued unless a comparable replacement dwelling is available and the displaced person is informed of its location and has sufficient time to lease or purchase the property.
Administrative Settlement	When negotiations result in a purchase price exceeding the agency's estimate of just compensation. Authorized agency may approve administrative settlements if they are reasonable, prudent, and in the public interest.
Agency	Entity that causes a person to become a displaced person; may be a State, a State agency, or a person with the authority to acquire property by eminent domain under State law. This definition includes units of general local government.
Appraisal	The process of developing an opinion of value for real property.
Comparable Replacement Dwelling	A replacement unit that is comparable to a tenant's previous unit prior to relocation. HUD's various subsidy programs have differing requirements with regard to assignment of appropriate unit sizes based on statute, regulation, and/or local housing codes.
Displaced Person	Any person who moves from real property, or moves his/her personal property from real property as a direct result of an acquisition by a Federal agency or with Federal financial assistance. Eligible for relocation assistance under the URA.
Federal Agency	Any department, agency, or instrumentality in the executive branch of the Government, any wholly owned Government corporation, the Architect of the Capitol, the Federal Reserve Banks and branches thereof, and any person who has the authority to acquire property by eminent domain under Federal law.
Federal Financial Assistance	A grant, loan, or contribution provided by the United States, except any Federal guarantee or insurance, any interest reduction payment to an individual in connection with the purchase and occupancy of a residence by that individual, and any annual payment or capital loan to the District of Columbia.

General Information Notice	Informs persons affected by federally-funded project that they may be displaced as a direct result of the project.
Housing of Last Resort	Enables agencies to respond to difficult or special displacements with broad flexibility. May involve the use of replacement payments that exceed the URA maximum amounts or alternative methods of providing comparable decent, safe, and sanitary housing within a person's financial means.
Initiation of Negotiations (ION)	The ION date serves as a milestone in determining a person's eligibility for relocation assistance, including moving costs and a replacement housing payment. The ION date is the trigger for issuance of the Notice of Eligibility for Relocation Assistance or Notice of Nondisplacement.
Involuntary Acquisition	Occurs when an agency acquires real property under threat or use of eminent domain, which is the power of the government to take private property for public purposes with payment of just compensation. Triggers the full requirements of the URA in 49 CFR Part 24 Subpart B.
Just Compensation	Based on the approved appraisal's estimate of fair market value for the property being acquired. Cannot be less than the approved appraisal.
MAP-21	The latest amendment to the URA, which became effective in 2014 and must be implemented even though 49 CFR Part 24 is still being updated to reflect the changes.
Non-Displaced Person	Individuals that do not meet the URA's or HUD's standards for being displaced. For example, individuals who are displaced for less than 12 months or individuals who are evicted from their home.
Notice of Nondisplacement	Provided to persons who will not be permanently displaced but will be impacted by a HUD-assisted project. Such persons may be required to move to another unit within the project or relocate temporarily while the property is rehabilitated.
Notice of Relocation Eligibility	Informs persons that they will be displaced by the project and establishes their eligibility for relocation assistance and payments.
Permanent Relocation	Acquiring agencies offer permanent relocations services to persons that choose not to return to their home. Persons who have been temporarily relocated for longer than 12 months must be offered permanent relocation assistance.
Person	Any individual, partnership, corporation, or association.
Project	Any activity or series of activities undertaken by a Federal Agency or with Federal financial assistance received or anticipated in any phase of an undertaking in accordance with the Federal funding Agency guidelines.
Relocation Advisory Services	A critical component of successful relocation programs that is required for all eligible displaced persons. A few key components of these services are

	determining the displaced person's needs and preferences, explaining available relocation assistance and finding comparable dwellings, and explaining a person's right to appeal if they are dissatisfied with an agency's decision.
Replacement Housing Payments (RHPs)	The URA allows different RHPs based on a displaced person's occupancy status and length of occupancy. Some examples are rental assistance payments for a comparable replacement dwelling or downpayment assistance to purchase a comparable replacement dwelling.
Resident Return Policies, Return Criteria, or Re-occupancy Plan	Criteria used to determine priority for displaced residents to re-occupy completed units after major rehabilitation. A return policy is useful in projects that anticipate that not all units will be replaced. Establishing a return policy enables the Agency to determine how many and which of the current project residents will be either temporarily relocated and/or may be permanently displaced and whether some or all residents will be given priority for return to the completed project.
State	Any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, the Trust Territory of the Pacific Islands, and any political subdivision thereof.
State Agency	Any department, agency, or instrumentality of a State or of a political subdivision of a State, any department, agency, or instrumentality of 2 or more States or of 2 or more political subdivisions of a State or States, and any person who has the authority to acquire property by eminent domain under State law.
Temporary Relocation	HUD imposes additional conditions on temporary relocation such as reimbursing moving expenses to and from the temporary replacement location and any increased hosing costs incurred during the temporary residents; in addition, the rent for the rehabilitated unit may not increase unreasonably after the tenant's return. The Agency must provide reasonable advance notice of the temporary relocation.
Voluntary Acquisition	Occurs when a person voluntarily sells real property to an agency in accordance with all requirements of 49 CFR 24.101(b)(1)-(5). The existence of a willing buyer and seller does not necessarily meet the requirements for voluntary acquisition.