



U.S. Department of Housing and Urban Development
Community Planning and Development

Special Attention of:

Headquarters CPD, PIH and MF Housing Directors;
Regional Office Administrators and Field Office Directors;
Field Office CPD Directors and Deputy Directors;
MF HUB Directors;
MF Program Center Directors;
Regional and Field Office Public Housing Directors;
ONAP Directors;
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HUD Grantees and Funding Recipients

Notice: CPD-14-09
Issued: June 10, 2014

This notice remains effective until amended, superseded, or rescinded.

Cross References: P.L 112-141, § 1521; 42 U.S.C. §§ 4601 *et seq.*; and 49 CFR part 24.

SUBJECT: Effective Date of Moving Ahead for Progress in the 21st Century Act (MAP-21) Changes to Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) Payment Limits and Replacement Housing Payment Eligibility Criteria

PURPOSE:

The purpose of this Notice is to provide guidance concerning the October 1, 2014 effective date of several provisions of Section 1521 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) that will change payment limits and replacement housing payment eligibility criteria in the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA).

Interagency efforts to craft a Notice of Proposed Rulemaking that will revise regulations at 49 CFR part 24 consistent with MAP-21 and propose other changes are currently underway. However, the changes discussed in this Notice will become effective before the interagency rulemaking efforts are complete.

The following changes to the URA become effective on October 1, 2014.

Residential Relocation:

- Length of occupancy requirement to receive Replacement Housing Payment for homeowner-occupants is reduced from 180 days to 90 days [42 U.S.C. 4623(a)(1) and 42 U.S.C. 4624(b)];
- Maximum Replacement Housing Payment for displaced 90 day (formerly 180 day) homeowner-occupant increased from \$22,500 to \$31,000 [42 U.S.C. 4623(a)(1)]; and
- Maximum Replacement Housing Payment for displaced 90 day residential tenant increased from \$5,250 to \$7,200 [42 U.S.C. 4624(a)].

Nonresidential Relocation:

- Maximum Reestablishment Expense Payment increased from \$10,000 to \$25,000 [42 U.S.C. 4622(a)(4)] and
- Maximum Fixed Moving Expense Payment increased from \$20,000 to \$40,000 [42 U.S.C. 4622(c)].

On March 25, 2014, FHWA issued guidance for its programs to explain the changes that will come into effect on October 1, 2014. This Notice is consistent with FHWA's guidance.

The new 90-day length-of-occupancy requirement for homeowner-occupants to receive a Replacement Housing Payment applies whenever the initiation of negotiations (ION), for a homeowner-occupant occurs on or after October 1, 2014.

The application of the new maximum payment amounts presents a more complex question. HUD anticipates there will be some projects where the action that establishes relocation eligibility, such as ION, may occur before October 1, 2014, but relocation assistance activities may not be completed until after October 1, 2014. For those situations, HUD has determined that on or after October 1, 2014, the increased payment limits apply to a person who qualifies as displaced under 49 CFR 24.2(a)(9)(i) if:

- For all increased relocation payments noted above, with the exception of replacement housing payments for homeowner-occupants: the displaced person is not required to move before October 1, 2014, and has not moved before that date.
- For increased replacement housing payments for homeowner-occupants: the displaced homeowner still holds title to the real property to be acquired on or after October 1, 2014.

If you have questions pertaining to this guidance, please contact your local HUD Regional Relocation Specialist for further assistance. Contact information for HUD's Regional Relocation Specialists is available on HUD's Real Estate Acquisition and Relocation website at:

www.hud.gov/relocation