



RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN



City of Butler
140 West North Street
Butler PA 16001



Redevelopment Authority of the City of Butler
129 West Cunningham Street
Butler PA 16001



Equal Housing
Opportunity

Adopted by City Council: April 23, 2015
Adopted by RACB: May 4, 2015

Readopted: January 31, 2019
Readopted: January 10, 2019

INTRODUCTION

This Residential Anti-Displacement and Relocation Assistance Plan is prepared by the City of Butler in accordance with Section 104 (d) of the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to the Community Development Block Grant program.

MINIMIZE DISPLACEMENT

Consistent with the goals and objectives of activities assisted under the Act, the City of Butler will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- A. Maintain current data on the occupancy of houses in areas targeted for CDBG assistance.
- B. Review all activities prior to implementation to determine the effect, if any, on occupied residential properties.
- C. Include consideration of alternate solutions when it appears an assisted project will cause displacement, if implemented.
- D. Require private individuals and businesses to consider other alternatives to displacement causing activities, if they are requesting CDBG assistance.

RELOCATION ASSISTANCE TO DISPLACED PERSONS

The City of Butler will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG and/or HOME program, 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 City of Butler will replace all occupied and vacant occupiable low- and moderate income dwelling units demolished or converted to a use other than as low- and moderate-income housing as a direct result of activities assisted with Community Development Block Grant (CDBG) and/or HOME funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488 (c) (1). Replacement of low- and moderate-income units may include public housing or existing housing receiving Section 8 project-based assistance.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Butler will make public and

submit to the Department of Community and Economic Development (DCED) the following information in writing:

- A. A description of the proposed assisted activity;
- B. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate income dwelling units as a direct result of the assisted activity;
- C. A time schedule for the commencement and completion of the demolition or conversion;
- D. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- E. The source of funding and a time schedule for the provision of replacement dwelling units;
- F. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least ten (10) years from the date of initial occupancy; and
- G. 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 units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the localities or the State's approved Consolidated Plan (Con Plan).

To the extent that the specific location of the replacement housing and other data item "D" through "G" are not available at the time of the application submission, the City of Butler will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available.

MEASURES TO MINIMIZE DISPLACEMENT

- A. No displacement is anticipated.
- B. The City of Butler will administer its CDBG program in such fashion so as to limit displacement only to households residing in structures that are substandard to the point warranting clearance and/or unfit for human habitation.
- C. The CDBG program will continue to be structured so that only vacant, dilapidated units or occupied units in poor condition will be considered for demolition. Demolition may also be permitted to allow for improved vehicular and pedestrian circulation in neighborhoods where master plans have been approved and adopted by the neighborhood association.
- D. The City views the displacement process as offering families and individuals the opportunity to receive financial assistance to upgrade their living conditions while, at the same time, enabling the removal of unsafe structures from the community.
- E. CDBG funds will be used to assist activities that will result in the displacement of persons only as a last resort and only after it has been demonstrated that economic factors, sound planning, and environmental considerations indicate that not to proceed with the activity will have a negative impact on the City's overall CDBG program.

The City of Butler will provide relocation assistance, as described in 570.488(c)(1), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

REPLACEMENT NOT REQUIRED BASED ON UNIT AVAILABILITY

Under 24 CFR 42.375(d), the City of Butler 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.

DEFINITIONS

A. Comparable Replacement Dwelling Unit: Dwelling be "functionally equivalent" to the displacement dwelling means that it must perform the same function, provide the same utility, and be capable of contributing to a comparable style of living as the displacement dwelling. While it need not possess every feature of the displacement dwelling, the principal features must be present.

B. Conversion. Changing lower-income housing to an emergency shelter, even if it will serve lower-income persons, is considered a conversion of the lower-income housing stock and will trigger a replacement requirement.

C. Displaced Person: The forced movement of people from their locality or environment and occupational activities.

D. Lower-Income Dwelling. The market rent of a vacant or owner-occupied dwelling unit may be determined by appraisal or other appropriate rental market analysis.

E. Lower-Income Person. The term "lower-income person" at 24 CFR 42.305 is defined according to the program-specific definitions of "low and moderate income person" at 24 CFR 570.3 (for CDBG) or "low-income family" at 24 CFR 92.2 (for HOME).

1) The definition of "low- and moderate-income person" at 24 CFR 570.3 requires reference to the CDBG-specific definition of "income," which can be computed by any of three given methods: (i) "annual income" as defined under the Section 8 HAP program at 24 CFR 813.106, which is now at 24 CFR 5.609; (ii) "annual income" as reported under the Census long-form; or (iii) Adjusted Gross Income as defined for purposes of reporting individual Federal annual income for tax purposes under IRS Form 1040.

2) The definition of "low-income family" at 24 CFR 92.2 requires reference to the HOME-specific definition of "annual income" at 24 CFR 92.203, which can be computed by using: (i) the definition of "annual income" at 24 CFR 5.609; (ii) "annual income" as reported under the

Census long-form; or (iii) Adjusted Gross Income as defined for purposes of reporting individual Federal annual income for tax purposes under IRS Form 1040.

H. Vacant Occupiable Dwelling Unit: A vacant dwelling unit that is in a standard condition; a vacant dwelling unit that is in a substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by the recipient covering the rehabilitation or demolition."

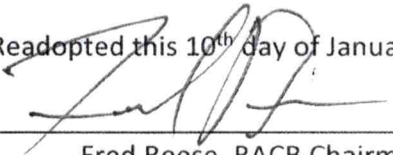
PUBLIC REVIEW

To ensure compliance with Section 104(d), the City of Butler will make public this Residential Anti-Displacement and Relocation Assistance Plan by using the following methods:


- Posting the Plan at the City Building, 140 West North Street, and the Redevelopment Authority of the City of Butler, 129 West Cunningham Street, Butler, Pennsylvania; and,
- Publishing a notice of availability, stating where and when the Plan and identified project areas will be available for review.

The purpose of the public disclosure requirement for the Plan is to ensure that citizens are made aware of the City's plans for demolition and conversion of existing low- and moderate-income housing and how it intends to replace those lost dwelling units.

Readopted this 10th day of January 2019



Fred Reese, RACB Chairman

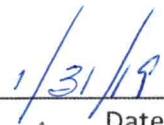


Date

Readopted this 31st day of January 2019



Benjamin A Smith



Date