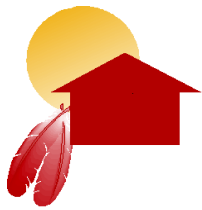


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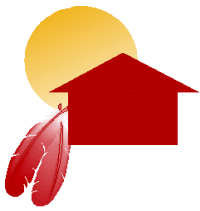
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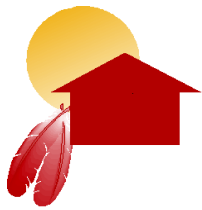
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I. Purpose				
<p>The Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) (mandated in 1971) applies to the IHBG, ICDBG, RHED/RIF, and ROSS programs. It provides displaced persons with fair, equitable treatment and protection from disproportionate injury by projects designed to benefit the public as a whole. The URA also protects the rights of a property owner whose property is acquired for a federally-assisted project. It applies to all federal or federally-assisted activities that result in the acquisition of real property or the displacement of persons or businesses, as a result of acquisition, rehabilitation, or demolition. ONAP suggests that program recipients develop Relocation and Real Property Acquisition Policies if the entity is involved in such activities.</p> <p>Relocation can either be permanent or temporary; this plan covers both. Recipients must be very careful to abide by all notification requirements to avoid complicated, and often costly, corrective actions.</p> <p>The purpose of this plan is to ensure that recipients are following the requirements when temporarily or permanently relocating persons or businesses and/or acquiring real property, including down payment assistance. Reviewers should use this monitoring plan when conducting monitoring reviews where relocation has occurred or is planned in the near future.</p>	<p>URA(42 USC 4601) 49 CFR Part 24, Subparts B and C Section 104(d) of the H & CD Act of 1974 24 CFR § 1000.14 24 CFR § 1003.602 RHED/RIF, Grant Agreement ROSS, Grant Agreement</p>	<p>HUD Handbook 1378</p>		



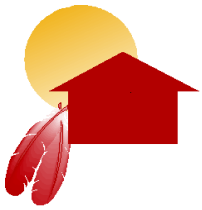
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
II. Pre-Visit Preparation				
A. Review the activities covered in the IHP; ICDBG, ROSS, and RHED/RIF applications; and APR and ASER to determine if relocation may be or was necessary. For example, substantial rehabilitation of occupied property commonly requires temporary relocation.				
B. If relocation occurred or is planned, review the following documents: <ol style="list-style-type: none"> 1. Most recent IHP, approved IHP amendments, IHP amendments in process 2. Relocation policies and procedures, as applicable (see section III for review instructions) 3. Previous monitoring findings 4. Previous self-monitoring report(s) 5. Previous financial and OIG audit findings and/or work papers 6. Corrective action status for findings 7. Previous and current enforcement actions 8. Valid complaints 9. Relevant correspondence 				
III. On-Site Review				
A. Review the sampling methods in the General Instructions that are located in the Monitoring Plans folder on SharePoint.				



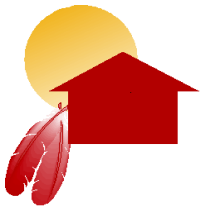
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<p>B. Review the NAHASDA-assisted activities to see if any of the following are triggered: acquisition of property or structures, rehabilitation and modernization of existing housing stock, demolition or disposition of dilapidated housing units, on-site utility and infrastructure development or conversion of units for providing supportive housing services. For ICDBG, review activities to include: rehabilitation of residential or commercial buildings, construction and rehabilitation of infrastructure, land and structure acquisition.</p> <p>If none of these circumstances exist, stop review.</p>	24 CFR § 1000.14	Handbook 1378		
<p>C. Review the training and technical assistance efforts provided to the recipient.</p>				
<p>1. If relocation has occurred or is planned, has the recipient done the following:</p>				
<p>a. Provided the required notice and that it contained the required provisions. (i) Owner notice? (ii) Relocation notice to tenants?</p>	49 CFR Part 24 Subpart 203 24 CFR Part 42	Guide forms in Handbook 1378		
<p>b. Provided a schedule of eligible costs?</p>				
<p>c. Identified a replacement dwelling?</p>				



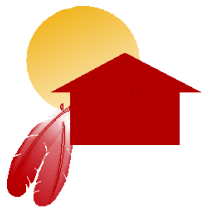
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
d. Estimated the duration of the temporary relocation, if applicable?				
e. Secured the identity of the contact person for counseling purposes?				
f. Provided procedures for appeals and grievances?				
2. Does the recipient have the authority to acquire property by eminent domain?	49 CFR § 24.101(b)(2)			
3. Determine eligibility for relocation assistance.	49 CFR Part 24, Subpart 104	Public Law 105-117		
4. Are the properties in trust status?				
5. Does the person fit the definition for displaced person?				
IV. Temporary Relocation				
Substantial rehabilitation or rehabilitation involving lead-based paint abatement commonly requires temporary relocation. Occupants must be provided temporary relocation assistance.	24 CFR § 1000.14(c)			
A. Review the sampling methods in the General Instructions.				



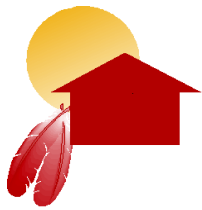
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
B. Examine the sampled files to determine the following:				
1. Did the recipient provide the occupant with a General Information Notice in a timely manner?	24 CFR § 1000.14			
2. Did the recipient notify the occupant in writing of the terms of the temporary relocation:	24 CFR § 1000.14 (c)			
a. The required move, which was provided 14 to 30 days in advance of the move?	24 CFR § 1000.14(c)(2)			
b. The location(s) of available, suitable dwelling(s)?	24 CFR § 1000.14(c)(2)(ii)			
c. The approximate length of time for the temporary relocation?	24 CFR § 1000.14(c)(2)(i)			
d. The eligible relocation costs and reimbursements?				



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
<p>e. The reasonable terms and conditions of continued occupancy in the permanent dwelling, including housing costs? (Note: reasonable housing costs upon completion of the project is the greater of the housing costs before rehabilitation or 30% of household income.)</p>	<p>24 CFR § 1000.14 (c)(2)(iii)</p>			
<p>f. The recipient contact person and contact information?</p>				
<p>g. Any other terms and conditions?</p>				
<p>3. Did the recipient reimburse the occupant for costs associated with the temporary move; i.e., increased housing expenses and utility costs, if any; disconnect and reconnect fees of existing services; actual, reasonable moving costs; storage costs, if any?</p>	<p>24 CFR § 1000.14 (c)(1)</p>			
<p>4. Reimbursement of costs cannot be a flat rate. Reimbursement shall be for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily-occupied housing and any increase in monthly housing costs (e.g., rent/utility costs).</p>				



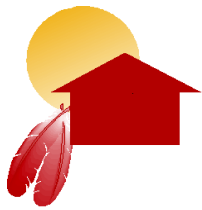
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
a. What were the dates of the moves (to and from) temporary housing?				
b. What was the date of payment to the occupant?				
c. Was the payment to the occupant prompt?				
5. Did the recipient actually afford the occupant with the opportunity to return to the home once rehabilitation was completed?	24 CFR § 1000.14(c)(2)(iii)			
6. If so, were the terms and conditions of continued occupancy reasonable?				
7. Were all aspects of the move reasonable?				
8. Has the recipient retained copies of all correspondence to develop a relocation record?	24 CFR § 1000.14(f)(3)			



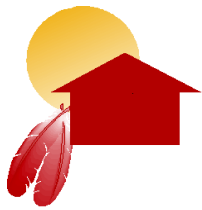
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
V. Permanent Relocation				
A. Review the sampling methods in the General Instructions				
B. If permanent relocation has occurred or is planned, review the sampled files to determine the following:	49 CFR Part 24, Subpart C 24 CFR § 1000.14(g)			
1. Did the recipient provide the occupant a General Information Notice in a timely manner?				
2. Did the recipient notify the occupant in writing of the terms of the permanent relocation, which informed the occupant of:				
a. Their eligibility for relocation assistance?				
b. The required move, which was provided at least 90 days in advance of the move?				
c. The location of available, comparable dwelling(s) that is/are decent, safe, sanitary, and affordable?				



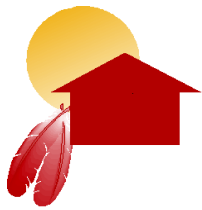
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
d. The eligible relocation costs, including moving expenses, and perhaps a replacement housing payment?				
e. The recipient contact person and contact information?				
f. Any other terms and conditions?				
3. Did the recipient reimburse the occupant for costs associated with permanent relocation, i.e., increased housing expenses and utility costs, if any; disconnect and reconnect fees of existing services; actual, reasonable moving costs, storage costs, if any expenses?	24 CFR § 1000.14(g)(iv)			
a. What was the date of the move?				
b. What was the date of payment to the occupant?				
c. Was the payment to the occupant prompt?				
4. Were all aspects of the move reasonable?	24 CFR § 1000.14(g)(iv)(B)			
5. Has the recipient retained copies of all correspondence to develop a relocation record?	24 CFR § 1000.14(f)(3)			



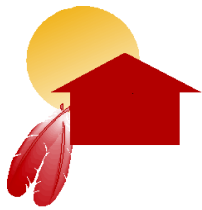
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
6. Did the recipient document the citizen status of all occupant members benefiting from the relocation?				
VI. Real Property Acquisition				
<p>This section of the URA covers the requirements that apply to any acquisition of real property for a federally-assisted program or project. (Such as, purchase of land for housing or community development.)</p> <p>Although not required by NAHASDA, a policy is recommended for such activities as appraisal, notification to owner, etc.</p>	49 CFR Part 24, Subpart B 24 CFR § 1000.14 (a)			
A. Does the recipient have the authority to acquire property by eminent domain?	49 CFR § 24.101(b)(2)			
B. Were all acquisitions amicable, without any potential use of the power of eminent domain (e.g., involuntary acquisition)?				
1. Were the terms of voluntary acquisition conveyed to the owner in a timely manner?	49 CFR § 24.101(b)(1) or (2)			
2. Determine if the recipient's records include the following required documentation:	24 CFR § 1000.14 (f)(3)			



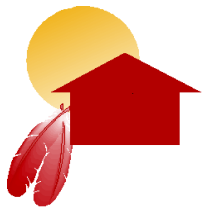
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
a. A copy of all notices, including: (i) Relocation notices to tenants? (ii) Notice of interest? (iii) Notice of intent to acquire? (iv) Notice of just compensation?				
b. A copy of appraisal documents? (Note: an appraisal is not required by the URA if it is voluntary acquisition.)				
c. A copy of all correspondence?				
d. Meeting minutes?				
e. History of litigation, if applicable?				
f. Has the tenant received compensation for improvements?				
VII. Mobile Homes				
Mobile homes are common structures on reservation land; therefore, occupants could be displaced from a mobile home to a mobile home. However, if the occupant is displaced from a single family dwelling, a mobile home would not be considered comparable or better housing structures.	49 CFR § 24.301(g)(1-10) 49 CFR 24.501-503 49 CFR 24.603			
A. If relocation activities included mobile homes, mobile home records should be included in the				



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sampling, as they are for fixed structures (see Sections V. and VI. above).				
B. An occupant residing in a mobile home is eligible for the same benefits as those afforded under temporary or permanent relocation (see Sections IV, and V. above).	49 CFR Part 24, Subparts D and E			
1. Have occupants displaced, either from the mobile home or its lot, been receiving replacement housing benefits and moving costs?				
a. Do the computations for replacement housing payments consider the costs associated with the mobile home and those associated with the lot?				
b. Do moving costs include the personal property and the mobile home?				
2. Is the recipient maintaining all records for mobile home relocation, as it is for fixed structures?				
a. Does the source documentation include copies of appropriate records to support the recipient's actions?				



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b. Does the source documentation ensure that affected parties received benefits prescribed by regulation?				
C. The URA real property acquisition requirements under Section VI of this Plan also apply to the acquisition of:				
1. The mobile home, and				
2. The mobile home lot.				
a. Did the occupant own the mobile home?				
b. Did the occupant own the lot?				
c. If yes, were the real property acquisition requirements under Section VI of this Plan complied with?				
VIII. Summary				
A. Summarize the results of the review in a work paper. B. Discuss significant issues with Supervisor. C. Develop findings, including questioned costs and corrective actions, as appropriate. D. Develop concerns because they could lead to a violation				



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>Ref. Pg.</u>	<u>Remarks</u>
E. Develop report language, including any findings and concerns. F. If there are any major issues identified in this review and the recipient has approval to invest, determine if a withdrawal of investment authority should be recommended.				

Reviewer Name:	
Review Date(s):	