Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

NY Rising Housing Program
Relocation Policy for Uniform Relocation Act
Landlord Fact Sheet

July 20, 2017

NY Rising Housing Program (applies to all Programs)

If you are a participant in the New York Housing Program (the Program) and your property has a rental unit with tenant(s) that must vacate their unit for repairs to be completed, then you must comply with the federal Uniform Relocation Act (URA). A Program Representative will assist you and your tenants with URA compliance, and New York Rising will pay for any necessary tenant relocation and other costs of URA compliance.

Landlords should work with the Program to ensure that tenants have received a General Information Notice (GIN) which informs them of your application for federal assistance and notifies them of the potential for temporary relocation due to the use of Federal funds for the project.

In addition to URA notifications sent by the Program, it is your responsibility to advise your tenants of their rights and potential eligibility to receive assistance with all reasonable costs of temporary relocation. These costs may include:
- moving expenses
- assistance locating and making deposits for temporary housing that is decent, safe and sanitary
- payments towards the difference in the rent and utilities between the temporary housing and their current rent

The Program's policy of non-displacement means that the Program will be providing funding for your tenant's temporary relocation. To comply with this policy and the URA requirement outlined in your grant agreement, you must perform the following activity to comply:
- Provide the Program with the information necessary to confirm whether or not a tenant resides in your damaged property including the tenant's contact information and lease agreement;
- Provide the Program with information on when your construction work will start so that the Program may provide the tenant with a 90-day notice to temporarily relocate;
- Identify a construction contractor committed to do work within one-year of the displacement of your tenant;
- Ensure that you do not or have not evicted a tenant prior to the start of Program-funded work;
- Allow your tenant to return to the same unit at the same rental rate for at least a one-year term after rehabilitation work at the property has been completed;

Notifying a tenant to move out of the unit, attempting to unreasonably raise the tenant's rent, and/or evicting them without contacting the Program in advance to ensure compliance with URA may disqualify you from assistance with the repair and/or elevation of your home. If you are considering eviction because the tenant is not in "good standing" please contact a Program Representative immediately at (406) 282-3019.

Landlords are also advised to contact the program if they are considering renting or leasing a previously vacant unit so that a "Move In" Notice can be issued prior to the tenant signing a lease. This notice informs the prospective tenant that you have applied for federal assistance for the rental unit, temporary relocation may be necessary, and they will not be eligible for assistance.   Failure to notify the Program regarding a prospective tenant may disqualify you from receiving assistance for the repair and/or elevation of the rental unit.

Eligible tenants will be contacted by a Program Representative who will provide them with advisory services and information regarding URA relocation benefits, anticipated construction timeframe for the rehabilitation and/or elevation project, and relocation process. They will also discuss written notices that the tenant may expect to receive, URA rights, and recommendations to avoid issues that may disqualify them for assistance. In addition, they will discuss the housing and moving options available to them. Landlords who encounter issues with tenants during the relocation process, such as a tenant refusing to move, pay rent, or cooperate with construction activities must contact the Program **immediately** so that permanent displacement does not occur.