(Sent by Certified Mail with Return Receipt Requested,

or personally served)

[Date]

[URA Case ID]

[Non-residential Occupant POC Name]

[Name of Business/Farm/Non-profit organization]

[Non-residential Occupant Address]

[City, State Zip]

**Re: URA General Information Notice to Non-residential Occupants**

Dear [Non-residential Occupant Name],

The [Subrecipient/Agency Name], through the [CDBG-DR/MIT program Name] Program (the **“Program”**), is interested in acquiring and/or rehabilitating the property you currently occupy at [Real Property Address] for a proposed project which may receive federal funding provided by the U.S. Department of Housing and Urban Development (**HUD**) under the Community Development Block Grant [Disaster Recovery (**CDBG-DR**)/ Mitigation (**CDBG-MIT**)] Program. Projects receiving these Federal funds are subject to the rules of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (**URA**), as amended, 42 U.S.C. §4601 *et seq.*, and Section 104(d) of the Housing and Community Development Act of 1974 (**HCDA**), as amended, 42 U.S.C. § 5304(d).

The purpose of this notice is to inform you that your business, non-profit organization, or farm (all referred to as “person”)***may*** be displaced as a result of the proposed project. This notice also informs your rights and protections as a displaced person under URA. You may be eligible for relocation assistance and payments under URA if the proposed project receives HUD funding assistance and if you are deemed eligible and displaced due to the project’s acquisition, rehabilitation, or demolition.

**This is not a notice to vacate the premises. You should not yet move from the property you occupy as a result of receiving this notice. This notice does not establish your relocation payments and/or assistance eligibility.**

After it is determined you are eligible and required to move from your current property, you will receive another written notice from the Program. Said notice will inform you whether you will be displaced from the property and your eligibility for URA assistance.

The general eligibility requirements for URA relocation benefits include, but are not limited to:

* Must meet the URA definition of a displaced person.[[1]](#footnote-1)
* Must be distinct from the person(s) or entity responsible for submitting the application to the Program actively triggering URA requirements.
* Must be actively occupying a non-residential unit within a property receiving Program assistance at the time of funded acquisition, rehabilitation, or reconstruction activities are scheduled to commence.
* Must be required to relocate from the project site in order to complete the Program activities.
* Must legally occupy the property in accordance with a written agreement or as otherwise provided by law.
* If the displaced business, farm, or non-profit organization is unincorporated, each owner must be a United States Citizen or qualified alien occupying the non-residential unit to be acquired, rehabilitated, or demolished. Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child.[[2]](#footnote-2) All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.
* If the displaced business, farm, or non-profit organization is incorporated, it must be authorized to conduct business in the United States and its territories, including Puerto Rico.

If relocation is required and you are determined to be eligible for relocation assistance, you may be eligible for payment of the following:

* Moving and related expenses;
* Business reestablishment expenses;
* Expenses related to the loss or replacement of personal property; and
* Other expenses related to utility connections, certain one-time impact fees, and certain professional services

The Program will also provide relocation advisory assistance that includes, but is not limited to, referrals to replacement properties, help to file payment claims and following procedures for obtaining payment(s), and other necessary assistance for your successful relocation.

You will not be required to relocate permanently without at least **ninety (90) days** in advance written notice. Nor shall you be required to relocate temporarily without at least **thirty (30) days** in advance written notice.

If you are required to relocate temporarily, upon completion of the repair or reconstruction of the property listed above, you will be provided the opportunity to re-occupy your present property under reasonable terms and conditions, including up to **one (1) year** at a rental rate and average utility costs that do not exceed the rate you are currently paying.

We urge you not to move away from your non-residential unit permanently. If you want to leave the unit by your own free will, please be aware that it may jeopardize your ability to receive URA assistance. Until it is determined whether you are required to move from your current property due to Program activities, failure to pay rent and meet your other obligations as a non-residential tenant may be cause for eviction and loss of relocation assistance. Please be advised that you should continue to pay your monthly rent and meet any other obligations specified by your lease’s terms and conditions as long as you occupy the unit. Failure to do so may be cause for eviction. If you choose to move or are evicted before receiving a formal notice of relocation eligibility, you will not be eligible to receive said assistance. It is important and highly recommended that you contact us before making any moving plans.

The enclosed HUD brochure, “Relocation Assistance to Displaced Businesses, Non-profit Organizations, and Farms,” explains this assistance and other helpful information.

In accordance with 49 C.F.R. § 24.10, you have the right to file a written appeal with the Puerto Rico Department of Housing (**PRDOH**) when it is believed [Subrecipient/Agency Name] has failed to consider your eligibility for assistance under URA properly. You have the right to appeal the following determinations: eligibility for URA assistance, including the requirement to relocate; the amount of relocation or other related expense payments; and the timeframe to exercise rights and entitlements of URA, including relocation timeframes. In addition, you may file an appeal to allege deficiencies in PRDOH’s relocation assistance advisory services as defined in 49 C.F.R. § 24.205(c) and PRDOH’s governing documents. Acceptance of PRDOH services and/or payments does not limit your right to appeal. Appeals must be submitted within **sixty (60) days** of the date you received notification of PRDOH’s decision regarding your claim and must be directed to PRDOH in writing to the following:

**Via email at**: fairhousing@vivienda.pr.gov

**Postal Mail**: Puerto Rico CDBG-DR/MIT Program

 ATTN: URA Appeals- Federal Compliance and

Subrecipient Management Division

 P.O. Box 21365

 San Juan, PR 00928-1365

For more information related to the URA Appeals process, please see the PRDOH CDBG-DR/MIT Uniform Relocation Assistance Guide & Residential Anti-Displacement and Relocation Assistance Plan (**PRDOH URA & ADP Guide**) available in English and Spanish at <https://cdbg-dr.pr.gov/en/download/ura-adp-guidelines/> and <https://cdbg-dr.pr.gov/download/guias-ura-adp/>

**PLEASE REMEMBER:**

* **This is not a notice to vacate the premises. You should not move from your property as a result of receiving this notice.**
* **This is not a notice of URA relocation eligibility.**

You will be contacted soon, so we can collect from you any additional information and provide you with more details regarding the URA assistance described in this notice. We will make every effort to accommodate your business, non-profit organization, or farm needs. In the meantime, if you have any questions about this notice or the proposed project, please contact [URA POC name] at [URA POC Phone] or [URA POC Email].

Sincerely,

[Signature]

[URA Case Manager Full Name]

URA Case Manager

[Agency/Entity Name]

1. Definitions for “displaced person” and “persons not displaced” are established at 49 C.F.R. § 24.2(a)(9). [↑](#footnote-ref-1)
2. Definition of “exceptional and extremely unusual hardship” to such spouse, parent, or child is established at 49 C.F.R. §24.208(h). [↑](#footnote-ref-2)