Sent by: Certified Mail ☐ or Personally Served ☐

[Date]

[Nonresidential Occupant POC Name]

[Name of Agency/Entity]

[Nonresidential Occupant Address]

[City, State Zip]

# **Re: URA - Notice of Eligibility for Permanent Relocation Assistance, Nonresidential (Businesses, Nonprofit Organizations, or Farms)**

[URA Case ID]

Dear [Nonresidential Occupant POC Name]:

On [Date of Nonresidential Occupant GIN], you were notified of the proposed project and that the [Community Development Block Grant Program – Disaster Recovery (CDBG-DR)] [Community Development Block Grant Program - Mitigation (CDBG-MIT)] [Name of Program] may provide assistance to your [business, nonprofit organization, or farm]located at[Address] (**the Property**), to support possible displacement, as a result of that project.

Program funding was approved on [Date Program Award Letter was sent] and the approved construction activities are expected to begin soon. Because this project is federally funded, you are protected by 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).

**This letter is intended to notify you that your [business, nonprofit organization, or farm] is eligible to receive assistance for permanent relocation, effective as of the date of this notice.** [[1]](#footnote-1)Based on the nature of the construction activities that will be conducted on the property, the Program has determined that your [business, nonprofit organization, or farm] will be permanently displaced by the project and will not be able to return to this location for future occupancy.

However, **you do not need to vacate the Property at this moment**. You will be provided written notice, indicating the specific date by which you will be required to move. This date will be no less than **ninety (90) days** from the date of such notice.

Enclosed is a brochure entitled, "Relocation Assistance to Displaced Businesses, Nonprofit Organizations and Farms."[[2]](#footnote-2) Please read the brochure carefully. It explains your rights and provides additional information on eligibility for relocation payments and what you must do in order to receive these payments. **Do not move or commit yourself to renting or purchasing a replacement location at this time.** A representative of the Agency will assist with your move and help ensure that you receive all relocation payments for which you are entitled. The relocation assistance that you are eligible for includes:

* Relocation Advisory Services: Includes a personal interview to determine relocation needs and preferences of the displaced business, help you find a suitable replacement location, and to provide other assistance in connection with your move. Relocation Specialists are available to explain relocation payments, assistance for which you may be eligible, the process for obtaining such assistance, and assist you with receiving relocation payments
* Payment for Actual Moving and Related Expenses to cover your actual, reasonable, and necessary moving and related expenses, including certain expenses related to personal property. Expenses must be eligible and be supported by invoices or other documentation that verify actual costs incurred in order to receive assistance payments.[[3]](#footnote-3)
* Related Non-Residential Expenses may be covered if they are determined to be actual, reasonable, and necessary. These include certain expenses related to utility connections, professional services, and utility impact fees. You should coordinate these expenses with your point of contact named in this notice prior to incurring them.[[4]](#footnote-4)
* [Payment for Reestablishment Expenses are available for qualifying small businesses, farms, and nonprofit organizations up to $33,200. Such expenses must be deemed reasonable and necessary and must be supported by invoices or other documentation establishing the actual costs incurred.[[5]](#footnote-5) ]
* [Fixed Payment for Moving Expenses: In lieu of all the assistance payments described above, you may choose to receive a fixed payment for your necessary moving and related expenses. The fixed moving payment you are eligible for is [determine amount between $1,000 and $53,200]. This amount is based on a number of factors related to the nature of your organization.[[6]](#footnote-6)]

**It is IMPORTANT that you do not move or commit to the purchase or lease of a replacement location before we have a chance to further discuss your eligibility for relocation assistance.** Your ability to receive the assistance described above is dependent on meeting certain URA requirements.

Should you choose to receive payment for actual moving and related expenses, and any personal property will be impacted by the relocation, you must provide [Name of Agency/ Entity] with the following information prior to moving in order to receive related assistance payments:

* Reasonable advance notice of the approximate date of the move after receiving the written notice indicating the specific date by which you will be required to move or disposition of any personal property for which you are seeking assistance payments;
* An inventory of personal property items to be moved which differentiates personal property that will be moved, replaced, or lost from real property that will be acquired; and
* Allow and facilitate the inspection of personal property, both at the displacement and the replacement location, as well as monitor the move itself.

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**), as the grantee, in any case when it is believed that [Name of Agency/ Entity] has failed to properly determine or provide assistance under URA. If you disagree with the determination in this notice, you may file a written appeal to the Program. Appeals must be submitted within **sixty (60) days** of the date you received this notification and must be sent in writing via electronic or postal mail to:

• Email: fairhousing@vivienda.pr.gov

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

 ATTN: URA Appeal - Federal Compliance and Subrecipient Management Division

 P.O. Box 21365

 San Juan, PR 00928-1365

For more information about the appeal process under the URA, you can access the CDBG-DR/MIT Uniform Relocation Assistance Guide & Residential Anti-Displacement and Relocation Assistance Plan (URA & ADP Guide), in English and Spanish, at https://cdbg-dr.pr.gov/en/resources/policies/general-policies/ and https://cdbg-dr.pr.gov/recursos/politicas/politicas-generales/.

If you have any questions about your eligibility for relocation assistance and payments, please contact [URA point of contact name] at [URA point of contact Phone] or by email at [URA point of contact email]. Your Relocation Specialist will be in touch soon to further discuss your eligibility. Please keep this letter for your records.

Sincerely,

[Digital Signature]

[URA point of contact name and title]

[Name of Agency/Entity/Person]

1. NOTE: 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. 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. [↑](#footnote-ref-1)
2. https://www.hud.gov/sites/documents/1043CPD.PDF [↑](#footnote-ref-2)
3. Eligible moving and related expenses are established at 49 C.F.R. § 24.301. [↑](#footnote-ref-3)
4. Eligible related non-residential expenses are established at 49 C.F.R. § 24.303. [↑](#footnote-ref-4)
5. The method for determining eligibility for, and types of reestablishment expenses are established at 49 C.F.R. § 24.304. [↑](#footnote-ref-5)
6. The method for determining eligibility for, and amount of a fixed payment for moving expenses is established at 49 C.F.R. § 24.305. NOTE: Should you choose a fixed payment, you would not be eligible to receive any other types of assistance payments described in this notice. [↑](#footnote-ref-6)