

## Summaries of Workshop Discussions

The conference was structured around panel discussions and workshops and included representatives of those who have been relocated and of relocation, transportation, and housing agencies. There were five principal topic areas dealt with by the confer-

ees: eligibility, relocation payments and services, relocation process, property acquisition, and adjacent-area impacts. Summaries of these discussions, prepared by workshop chairmen, appear below.

### Eligibility for Relocation Assistance

*(Cochairmen, Daniel R. Mandelker and David L. Alberts)*

The following eight-item agenda is recommended by the workshop on eligibility for relocation assistance for reference during and for review of proposed amendments to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and any regulations thereunder.

#### ELIGIBILITY

Eligibility for relocation assistance and benefits should be clarified to include any involuntary displacement that results from federally funded activities directed toward the specific property occupied by displacee. Federally-funded activities carried out by any governmental, quasi-public, nonprofit, or private entity are all intentionally included in the eligibility statement. "Federally funded" refers to the use of federal loans, grants, or payments for the purchase, rehabilitation, or modification of a subject property when its occupants are required to move. It also includes funds made available, or "leveraged", from nonfederal sources on favorable terms due specifically to the use or expenditure of federal funds or guarantee when used on the subject property. Indirect displacement is not intended to be considered for relocation assistance and benefits under the Uniform Relocation Act.

#### INDIRECT DISPLACEMENT

Indirect displacement means the voluntary or involuntary relocation by an occupant of a property in the vicinity of and possibly influenced by a federally-funded activity provided that federal funds are not used on the subject property. Compensation for indirect displacement should only be considered as "consequential damages," in accordance with applicable laws and regulations in the community in which the subject property is located.

Extensive discussions by workshop participants covered comprehensive neighborhood revitalization and rental housing conversion to cooperatives or condominiums. Displacements in such situations should only be considered for relocation benefits and assistance if the use of federal funds can be traced to the subject property.

#### MINIMUM DISPLACEMENT

The planning, location, and design of a federally-funded activity must respond to environmental, sociological, ecological, energy, economic, and displacement considerations. Procedures set forth in the National Environmental Protection Act should be clarified where necessary to assure that projects minimize displacement within the context of other factors. Decisions based on minimizing any one factor to the exclusion of the others is not in the public interest.

Legislation that mandates projects minimizing displacement as an isolated consideration is opposed by workshop participants.

#### RESIDENCY REQUIREMENTS

Current legislation requires that owners must be in residence at least 180 days and tenants 90 days in order to receive supplemental benefits beyond moving costs. Potential inequity can occur. This area should be reviewed carefully to correct the potential that a shorter-term occupant could receive a higher payment than a longer-term occupant solely as a result of that occupancy.

Participants support the 90-day and 180-day requirements. They do not support replacing these with a good-faith requirement.

#### TIME FOR ELIGIBILITY

Eligibility for relocation assistance and benefits should be triggered by the initiation of negotiations for the use of federal funds on the subject property.

Any earlier eligibility date was cited as unfair to public agency funding, and any later date was viewed as unfair to the property occupants. Some disparity exists regarding procedures or interpretations of the legislation and regulations within and between federal agencies and funding recipients.

#### HOUSING OF LAST RESORT

Congress should clarify the role of housing of last resort and the use of supplemental payments to provide such housing. Such clarification should include procedures or linkages so that governmental agencies, not otherwise geared to provide ongoing housing management assistance, are not thrust into this unfamiliar role.

The workshop discussed and opposed the use of

detailed and specific multiprogram relocation plans due to the variations in timing and nature of displacement and changes in the local market. It, likewise, opposed the designation of any single entity to provide housing of last resort for all programs in a community. Instead, it favored the closer coordination of projects, relocation planning, timing, and the development of resources..

#### LUMP SUM PAYMENTS

Public agencies should be permitted, but not required, to make periodic disbursements of rental assistance payments rather than lump sum payments. This is intended to further the probability that such payments would be used for decent, safe, and sanitary replacement housing.

#### SECTION-8 HOUSING

Section-8 housing assistance should be used in lieu of four-year rental assistance payments whenever possible and available. Section 8 is a more permanent form of housing assistance and is periodically adjusted for changes in housing costs and the renter's ability to pay. It is also limited to decent, safe, and sanitary housing.

This recommendation implies a closer linkage between displacing entities and the administering Section-8 agency or housing authority. That linkage could include clearer and higher priority for displacees and/or the targeting of additional Section-8 funds to a locality facing a significant relocation workload.

## Relocation Payments and Services

*(Cochairmen, Floyd I. Wise and Herbert L. Selesnick)*

This summation of the opinions and desires of those who participated in the workshop on relocation payments and services is divided into two parts. Part 1 relates to relocation payments. Part 2 covers the discussion of relocation services.

#### RELOCATION PAYMENTS

Various types of relocation payments were considered individually in the workshops. Workshop participants were encouraged to discuss (a) existing payments available under P.L. 91-646, (b) payments that would be available under proposed legislation, and (c) other payment proposals that should be considered.

#### Residential Fixed-Payment Moving Expense Schedules

Practically all workshop participants favored the proposal in pending legislation to increase the \$300 maximum fixed moving-cost payment to \$600. There was some reservation, however, about raising the \$200 dislocation allowance to \$400 for all residential displacees. The dissenting participants believe that the occupants of sleeping rooms and furnished units should receive a smaller displacement allowance because they do not experience the incidental expenses that this payment was designed to cover. Their reasoning is that such displacees would receive somewhat of a windfall if they receive \$400 plus their "per-room" moving-cost payment, and then they would merely "pack their suitcase and walk away." The majority did not necessarily disagree with these contentions.

Rather, they felt that this is a rather trivial point considering the magnitude of the overall program. After discussion, the majority of the conferees favored the proposal to raise the displacement allowance to \$400 for all residential displacees.

#### Maximum Payment Limitations for Relocation Housing Payments

In every workshop the same two lines of thought emerged when the desirability for establishing maximum replacement housing, down payment, and rent supplement payment limitations was discussed.

One group believes that the existing prohibition against displacing residential occupants unless and until comparable decent, safe, and sanitary replacement housing is made available to them causes maximum payment limitations to be totally ineffective. This group explained that, when a relocation cannot be accomplished within the maximum payment limitation, the acquiring agency (of necessity) merely "switches" to the last-resort housing program and pays the amount necessary to provide the required replacement housing--without regard for the so-called payment limitations.

Their contention is that such payment limitations do not reduce, control, or, in reality, even affect the amount of actual relocation housing payments. They do force them to unnecessarily use the more complicated and time-consuming last-resort payment process that increases administrative costs and often imposes payment procedures that are undesirable to the displacee. This group favors the elimination of all maximum payment limitations for relocation housing payments.

The remaining participants did not necessarily disagree with the contentions of the majority, but believed that maximum payment limitations are necessary to effect better control of the program and assure that the amounts in relocation housing payments are properly computed and fully justified. They explained that, in many cases, the agencies under their jurisdiction that administer the relocation program in the field are understaffed, inadequately trained, and often operate with limited supervision by the parent agency. As a result they fear that, without this element of control, relocation housing payments could, in their words, "run wild". This group strongly favors maximum payment limitations.

Both groups for the most part agreed that, if such maximum payment limitations are included in new legislation, they should be increased to \$8000 for rent supplement and down payments and to \$25 000 for replacement housing payments to 180-day owners. It was also generally agreed that such maximum payments relate only to the basic relocation housing payment and do not include incidental closing and/or increased interest payments.

#### Down Payments

A substantial majority favored eliminating the \$2000 down-payment matching funds requirement because those who most need the payment often cannot produce the required matching funds and, as a result, receive a lesser payment than those who are financially able to do so. A limited number of the participants expressed the feeling that the requirement should be continued. Their reason is that displacees will take a greater interest in their replacement homes if they invest some of their own funds in the purchase.