

City of Chicago
Department of Housing



2019 Chicago Relocation Plan Ordinance Rules and Regulations

Date: August 2019

**City of Chicago
Mayor Lori Lightfoot**

**Department of Housing
Marisa Novara, Commissioner**

CHICAGO RELOCATION PLAN ORDINANCE RULES & REGULATIONS

AUTHORITY AND USAGES

BY AUTHORITY VESTED IN THE COMMISSIONER OF HOUSING PURSUANT TO SECTION _____ OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES AND REGULATIONS REGARDING THE CHICAGO RELOCATION PLAN ORDINANCE ARE ADOPTED HEREIN.

Signed: _____

Marisa Novara, Commissioner

Date: _____

Date signed by Commissioner

Published date: September 1, 2019

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APPLICABILITY

The 2019 Ordinance (Chapter 5-13 of the Municipal Code) sets out the Applicability standards in Title 5. The following provide clarification, where needed:

1 INTRODUCTION

The 2019 Chicago Relocation Plan Ordinance promotes public welfare by protecting senior tenants, including those senior tenants who need assistive devices or need reasonable accommodations, of affordable housing buildings undergoing renovation and rehabilitation resulting in the temporary relocation or internal transfer of those tenants. This obligation encompasses all housing that has received any financial assistance from the City of Chicago with 24 or more units where a senior tenant is required to move, including those administered by the CHA. Relocation assistance must be provided to senior citizen households who are temporarily relocated or internally transferred. The Chicago Relocation Plan Ordinance requires owners and developers to have a written relocation plan prior to receipt of any subsequent City Funding to ensure that disruptions to those tenants are minimized.

All of the material available in this Rules and Regulations manual can be available upon request. If you need additional information please contact the Department of Housing Project Coordinator at: 312.744.5409

2 RELOCATION PLAN DEVELOPMENT and APPROVAL

WHY IS A RELOCATION PLAN REQUIRED?

The City of Chicago municipal code requires relocation assistance be provided to senior tenants who are either temporarily displaced or internally relocated as a direct result of acquisition, rehabilitation, or demolition of affordable housing units for a project assisted with the City of Chicago program funds. The objective of the Relocation Plan is to outline the Owner's responsibilities in carrying out these Municipal regulations, and define all assistance and benefits for which a senior tenant may be eligible. It is the Owner's responsibility to carry out all the requirements stated in the Relocation Plan, as well as becoming well versed in the Department of Housing rules and regulations of the Chicago Relocation Plan Ordinance. A Relocation Plan for a proposed development where 24 or more of the units hold seniors must be reviewed and approved by the Department of Housing 180 days prior to implementation of Relocation Activities. Submission of the Relocation Plan does not relieve the Owner of its responsibility of reviewing all other information pertaining to the relocation process.

WHAT IS INCLUDED IN THE INTERNAL TRANSFER OR TEMPORARY RELOCATION OF SENIOR TENANTS

Required assistance for those internally transferred or temporarily relocated are outlined below:

Temporary Relocation

Defined as displacement of a senior tenant for a period of up to 12 months from an affordable housing building with 24 or more dwelling units designated for Tenants of ages 55 and older that

As of 8/5/19, Department of Housing to be relevant to
Department of Housing and successor until revised.

is undergoing renovations.. Temporary Relocations requires an Owner and or its representative to provide advisory services, which include an explanation of relocation activities, assistance, referrals, and counseling; refer a senior tenant to a suitable, decent, safe and sanitary temporary dwelling. Reimbursement for all reasonable out-of-pocket expenses incurred in connection with the temporary move, including any increase in monthly rent/utility costs for the length of the relocation, as well as moving and related expenses, and advice on rights under the Chicago Relocation Plan Ordinance.

Internal Transfer

Defined as the required move of a senior tenant from one unit to another unit in an affordable housing building with 24 or more dwelling units designated for Tenants of ages 55 and older that is undergoing renovations. Internal Transfers requires an Owner and or its representative provide advisory services, which include an explanation of relocation activities, assistance, referrals, counseling and advice on rights under the Chicago Relocation Plan Ordinance. Internal transfer assistance, is intended to help provide reasonable accommodation for the entire renovation period of time and make up for any increase in living expenses as a result of the internal transfers, including moving and related expenses.

Should you submit an application for city financial assistance, which indicates that households could be Temporarily Relocated or Internally Transferred, you will be required to submit a Checklist and Relocation Plan to the City of Chicago Department of Housing, prior to funding approval.

The effective date for relocation plan approval is based on the following criteria:

1. The date approved by DOH, unless it specifies a later date. No relocation activities may commence less than 180 days from the date of DOH approval.

It is critical that developers and owners be familiar with the Department of Housing relocation plan process and requirements.

Failure to properly notify senior tenants within the prescribed time periods could cause increased relocation cost. Failure to provide the Department of Housing with all required relocation documentation could cause a delay or increase in relocation costs or delay or terminate final disbursement of city financial assistance. When submitting relocation files to the Department of Housing, include the documentation for each household. If appropriate, also include any other relevant documentation. Again, the Relocation Plan and Checklist must be reviewed and approved by the Department of Housing prior to implementation of relocation activities.

2.1 EMERGENCY CONTINGENCY PLAN

The owner or developer shall create an emergency contingency plan as part of the relocation plan that details the management of emergencies during the renovation, including, but not limited to, the loss of essential services. The purpose of the emergency contingency plan is to allow the

owner or developer to return to its daily operations as quickly as possible after an unforeseen event. The emergency contingency plan protects tenants and minimizes inconvenience, and identifies key staff, assigning specific responsibilities in emergency and recovery situations.

3 RELOCATION NOTIFICATION

The Chicago Relocation Plan Ordinance, requires developers to provide temporary relocated or internally transferred senior tenants with timely notice, a relocation information brochure, and access to the relocation plan designated for their building. Relocation activities are not to begin before tenants are appropriately advised on the relocation process and their eligibility for relocation assistance. Further, a relocation counselor should be promptly identified to address tenant questions and concerns (see section 4A)

Required notices and relocation information for those internally transferred or temporarily relocated are outlined below:

A. General Information Notice (GIN) 120 days

The Chicago Relocation Plan Ordinance regulations require that senior tenants who are scheduled to be temporarily relocated or internally transferred must be provided with a GIN at minimum, 120 days prior to initiation of any relocation activities. For those persons the Agency does not plan to displace, this GIN should be modified to explain that the project has been proposed, explain that they will not be displaced, and caution the person they do not have to move (complete with an explanation of the ramifications of moving on his/her own). Suggested guide forms for these GINs are available upon request from the Department of Housing.

All Resident Meeting Notice

The owner or developer is required to host one resident group meeting, open to all tenants of a covered building, within two weeks of the issuance of the GIN. Notice of the resident meeting shall be prominently displayed, at minimum 7 days prior to being held. The resident meeting notice shall be displayed in an easily accessible area of a covered building and issued to all tenants of a covered building. The resident meeting shall provide tenants with information concerning the renovation and rehabilitation of that Building and including a summary of the general relocation plan.

Individual Meeting Notice

The owner or developer is required to host one additional one-on-one meeting with all tenants of a covered building, between 7 and 80 days prior to the moving date. Notice of this meeting shall be issued at minimum 7 days prior to the second meeting. The second meeting notice shall provide tenants with information concerning their move date and staff availability to meet one additional time, prior to their scheduled move.

Notice of Eligibility (NOE)-Individualized Tenant

The NOE must be issued promptly after the initial One-on-One tenant meetings, 90 days prior to the initiation of any relocation activities for that tenant, and must describe the

available relocation assistance, the estimated amount of assistance based on the affected tenant's individual circumstances and needs, and the procedures for obtaining the assistance. This Notice must be individualized to the person and their situation so that they will have a clear understanding of the type and amount of payments and/or other assistance they may be entitled to claim, and include notice receipt (see section 6A1). Guide form notices of relocation eligibility are available upon request from the Department of Housing.

Notice of Temporary Daytime Displacement

A Notice of Temporary Daytime Displacement may advise an affected tenant that they may be or will be temporarily relocated during the daytime and allowed back into their unit in the evening (see 5-13-110 of the City of Chicago Municipal Code). If a senior tenant will be temporarily displaced during the day, the Agency must provide reasonable advance written notice of: (a) the date and approximate duration of the temporary daytime displacement; (b) the address of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary daytime displacement period; (c) the terms and conditions under which the senior tenant may occupy the decent, safe and sanitary area in the building/complex for the duration of the renovation; (d) the costs which will be reimbursed; and (e) the advisory services, food stipend and entertainment which will be available to them. The owner or developer shall also include notice receipt (see section 6A1). Guide form notices of daytime displacement are available upon request from the Department of Housing.

B. Ninety-Day Notice (90 days)

The 90-day notice shall not be given before the temporarily relocated or internally transferred person is issued a Notice of Eligibility for relocation assistance. The 90-day notice must be individualized and provide advance notice of: (a) the date and approximate duration of the temporary relocation or internal transfer; (b) the address of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period; (c) the terms and conditions under which the affected tenant may lease and occupy a decent, safe and sanitary dwelling in the building/complex upon completion of the project; (d) the costs which will be reimbursed; and (e) the advisory services which will be available to them. The date provided in this notice may be different for each affected tenant in a project area based on whether or not the project will be phased, the location of the occupied building(s), or the project schedule. The 90-day notice need not be issued if: (a) the occupant made an informed decision to relocate and vacated the property without prior notice to the property owner, or (b) the person is an unlawful occupant. The owner or developer shall also include notice receipt (see section 6A1). Guide form 90-day notice are available upon request from the Department of Housing.

- 1) In the case of an emergency, the Department of Housing may permit an Agency to require an affected tenant to vacate on less than 90 days' notice. However, an Agency may not artificially create an "emergency" (e.g. by issuing a notice to proceed to a demolition contractor, then using the imminent demolition to substantiate a danger to

- the affected tenants health and safety in order to cut short the notice period which is otherwise required;
- 2) Combined Notice (NOE and 90-Day Notice). Where time to begin work on the project is critical, the City of Chicago policy permits a NOE and a 90-Day Notice to be combined into one Notice and issued promptly after the initial One-on-One tenant meetings 90 days, prior to the initiation of any relocation activities (e.g., where moving tenants before snowfall will enable the project to move forward with roof replacements). All affected tenants must still be provided with a minimum of 90 days' notice prior to requiring that they move, unless the Department of Housing deems the situation to be an emergency. The owner or developer shall also include notice receipt (see section 7A1).

C. Thirty-Day Notice

The 30-day notice must provide advance notice of: (a) the date and approximate duration of the temporary relocation or internal transfer; (b) the address of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period; (c) the terms and conditions under which the affected tenant may lease and occupy a decent, safe and sanitary dwelling in the building/complex upon completion of the project; (d) the costs which will be reimbursed; and (e) the advisory services which will be available to them. The date provided in this notice may be different for each senior tenant in a project area based on whether or not the project will be phased, the location of the occupied building(s), or the project schedule. The 30-day notice need not be issued if: (a) the occupant made an informed decision to relocate and vacated the property without prior notice to the property owner, or (b) the person is an unlawful occupant. The owner or developer shall also include notice receipt (see section 7A1). Guide form 30-day notice are available upon request from the Department of Housing.

D. Manner of Notices

Each notice shall be written in plain, understandable language. Affected tenants who are unable to read and understand the notice (e.g., due to lack of literacy, limited English proficiency, or disability) must be provided with appropriate translation or interpretation services, alternative formats, and/or counseling. Each notice shall indicate the name and telephone number (including the telecommunication device for the deaf (TDD) number, if applicable) relocation staff who may be contacted for answers to questions or other needed help.

E. Relocation Advisory Services

Providing a written notice or series of notices, along with the Relocation brochure, is not sufficient to assure that the tenant who is affected by the project understands his/her rights and responsibilities. One-on-One meetings shall be conducted to discuss tenants individualized needs, preferences and concerns.

F. Public Access and Posting of Relocation Plan

The relocation plan shall be submitted to the Department of Housing and to any other federal, state, or local government agencies overseeing the project. The agency must post

the relocation plan on its website, and shall make the plan available in a prominently posted location in the Building. Prominently posted areas may include but are not limited to community rooms, elevators and bulletin boards.

G. Relocation Information Brochure

The owner or developer may meet most of the general information requirements of the Chicago Relocation Plan Ordinance by providing the senior tenant with a copy of the appropriate relocation information brochure along with the required Notice. The owner or developer shall also include brochure and notice receipt (see section 7A1). Guide form Relocation Information Brochure are available upon request from the Department of Housing.

H. Tenant Notification of Right to Appeal

The owner or developer shall inform residents, in writing, of their right to appeal. A resident who is dissatisfied with the determination of the appeal may submit a written request for review of the decision to the City of Chicago Department of Housing Commissioner.

3.1 TRANSLATION AND INTERPRETATION FOR LIMITED ENGLISH PROFICIENT TENANTS

The Chicago Relocation Plan Ordinance considers a limited English proficient person as anyone who does not speak English as his/her primary language and who has a limited ability to read, write, speak, or understand English. The Ordinance requires the owner or developer to translate the relocation plan and all notices concerning renovations and relocations into each affected tenant's primary language, upon that affected tenant's request, and to notify affected tenants of limited English-proficiency in their primary language that they can request oral interpretation of the relocation plan provided by the Agency.

3.2 RIGHT OF RETURN

If affected tenants have a right of return pursuant to other chapters of the Municipal Code, or state or federal law, the relocation plan shall specify how affected tenants will be notified of their right to return and the anticipated date by which affected tenants will be able to return. The developer shall provide at least quarterly updates to affected tenants of any changes to the development timeline. These right-of-return updates shall be provided to affected tenants through noticing, within the NOE, 90 day notice, and 30 day notice.

4 RELOCATION COORDINATION

Projects that trigger the Chicago Relocation Plan Ordinance are required to take various measures to ensure cooperation and coordination among government agencies, neighborhood groups and affected tenants; so that the project can proceed efficiently with minimal duplication of effort. Listed below are the necessary steps agencies are required to follow:

A. Relocation Coordinator

The owner or developer shall hire or appoint a designated employee, consultant and or team as its representative relocation coordinator for each covered building who shall be available to answer relocation-related questions and concerns of affected tenants.

Relocation should be the primary responsibility of said designee; and the maximum number of 150 tenants shall be assigned per relocation coordinator. If a project exceeds 150 affected tenants an additional relocation coordinator or team member shall be assigned. The Relocation Coordinator or Team shall be responsible for, coordinate and host the Resident Meeting, One-on-One tenant meetings, NOE, 120 day, 90 day, 30 day notices, have regular, posted office hours at the building, and unit inspections in cases of temporary day time displacement and relocations. If there is no space within the building to hold a relocation coordinator office, the agency shall have a Relocation Coordinator office near the building and shall provide the affected tenants with the address and phone number. The Relocation Coordinator office address shall be listed on all notices. The Relocation Coordinator shall hold regular meetings between the construction team, relocation team, management, and, if one exists, the tenant association at the building. Creation of a tenant association is not necessary and regular meetings with tenant associations only applies to pre-existing associations. These meetings shall be held weekly during the construction phase of the project. The Relocation Coordinator shall keep records of all notices, tenant meetings, relocation expenses and reimbursements, and make available to DOH for review upon reasonable request.

4.1 ONE-ON-ONE MEETINGS WITH TENANTS

The Chicago Relocation Plan Ordinance creates a requirement that Agencies meet face-to-face with affected tenants a minimum of two times throughout the relocation process. These one-on-one meetings are expected to provide affected tenants with a relocation brochure that includes examples of reasonable accommodation requests and all other pertinent information regarding the relocation process, including all applicable affected tenant rights associated with the relocation. At least 120 days prior to relocation activities are implemented at the building, the owner or developer shall begin meeting with the household of each affected tenant to create a moving plan that is clear, has a specific timeline, and meets the household's reasonable accommodation and modification needs. After the initial 120 day one-on-one meeting an additional follow-up meeting is required to take place sometime between 7 and 80 days prior to the moving date. The designated relocation coordinator or relocation team shall meet for a second time between the 7-80 day timeframe individually with each affected tenant face-to-face to provide clarification on their individualized relocation plan.

Please see Appendix for timeline of meetings and notice information.

4.2 ALL RESIDENT MEETINGS

The owner or developer is required to host a minimum of one resident meeting at which all affected tenants are invited (see timeline, Appendix 2). The resident meeting shall engage tenants and the Relocation Coordinator and or team in information sharing and discussion, introduce

available services and ways of working through the relocation process. The purpose of the all resident meeting is to increase awareness, discuss relocation plans and address tenant concerns regarding temporary relocation or internal transfers. The resident meeting is a starting point for, or an ongoing means of engaging, not to make decisions.

4.3 REIMBURSEMENTS

Projects that are subject to the Chicago Relocation Plan Ordinance must provide reimbursement to temporary relocated tenants and tenants who are required to move internally. Reimbursement payments include the following:

A. Moving Cost

Affected tenants are to be provided with moving supplies, including, but not limited to, boxes, tape, insulation, and scissors. The Agency shall retain records of the moving assistance it provides affected tenants, including any offer of referral services to help affected tenants with packing and unpacking, and any affected tenant waiver of this offer of assistance. Agency shall directly pay or reimburse each affected tenant for the costs of transporting, including insurance as applicable, of that affected tenant's belongings, and the cost of any utilities, cable, internet, and other services incurred, within 30 days of the completed move. If 30 days is not feasible, the Agency shall notify the affected tenant in writing, stating the date upon which reimbursement will be paid, and shall provide reimbursement within a reasonable timeframe. The amount of the reimbursement shall be identical to and in accordance with the schedules set forth in the URA (49 CFR 24.302) and 77 Fed. Reg. 30586, and offered to each effected tenant subject to temporary relocation.

B. Damage to Personal Property by Relocation Personnel

The owner or developer is required to include within the relocation plan a detailed grievance process for affected tenants whose belongings are damaged or destroyed by movers. This process shall include reimbursement, to be covered by either the Agency or the movers, for items damaged or lost in the move.

C. Underpayment

Whenever DOH determines that an affected tenant did not receive the full amount of a payment required, the Agency shall ensure that the correct payment, as specified by DOH, is made promptly.

5 REPLACEMENT HOUSING AND ACCOMODATIONS

5.1 REPLACEMENT HOUSING OPTIONS AND PAYMENTS

A minimum of three comparable replacement dwellings shall be examined (including internal and external inspection) to ensure that the replacement dwelling is decent, safe and sanitary. These comparable replacement dwellings shall be offered to affected tenants as temporary and internal relocation housing options, to which one of the three

replacement unit options will be chosen. Comparable replacement dwellings shall, to the extent feasible, be selected from the neighborhood in which the displacement dwelling is located or in nearby similar neighborhoods where housing costs are generally the same. An obviously overpriced dwelling (e.g., luxury housing, if the displacement dwelling is non-luxury housing) is not required. If the replacement housing rent is higher than the affected tenants current rent. The Agency shall subsidize the housing cost. The upper limit for a replacement housing payment shall be based on the cost of a comparable replacement dwelling. The upper limit of the replacement housing payment shall be established on the basis of the cost for the comparable replacement dwelling that is most representative of, and equal to, or better than, the displacement dwelling. A guide form of the Comparable Replacement Dwelling form for purposes of computing a replacement housing payment is available upon request from the Department of Housing (see Appendix). The Comparable Replacement Dwelling form is optional; however, if the form is not used, other reasonable documentation must be maintained and available upon request to the Department of Housing.

A. Inadequate Replacement Housing

Whenever an affected tenant is temporarily relocated or internally transferred to inadequate housing because required payments, housing referrals, property inspection, or other services were not offered in accordance with applicable regulations, the Agency shall promptly take whatever steps are appropriate and shall bear whatever reasonable costs are necessary to:

- (a) Enable the affected tenant to relocate to a comparable replacement dwelling or a decent, safe, and sanitary dwelling; or
- (b) Ensure the repair or rehabilitation of the replacement dwelling occupied by the affected tenant to the extent necessary to correct deficiencies that would not be present if the Agency had met its obligations. The Agency is not required to remedy housing deficiencies that it can demonstrate were caused after the affected tenant occupied the replacement dwelling.

B. Live-in Home Health Care Workers

Live-in Home Health Care Workers defined as caregivers whom live with affected tenants, provide companionship, personal care, assistance with the activities of daily living, and if trained, nursing services; are to be included within the affected tenants replacement unit composition and reasonably accommodated.

C. Assistive Device Replacement

Unless an affected tenant whose subsidized dwelling unit has assistive devices affirmatively declines, the Agency shall provide those same assistive devices in a unit that the affected tenant will occupy, prior to occupancy, as a result of a Mandatory

Internal Transfer or Temporary Relocation, such as grab bars, tongs, knob turners, and oven-rack pusher/pullers.

6 TEMPORARY DAYTIME DISPLACEMENT

This section applies to temporary daytime displacement of affected tenants unable to access their units during the daytime but able to return to the unit outside of construction hours. The Agency is required to provide suitable alternate living quarters during daytime hours with kitchen access, meal stipend, or delivery service, comfortably furnished and with some form of diversion, such as television, available.

A. Meals

An Agency is required to provide meal stipends per household member. This stipend amount will be issued in the amount of no less than \$15.00 per household member, per meal missed due to temporary daytime displacement. Should an Agency choose the option of utilizing a meal delivery service, at least one hot meal is required per day.

B. Individualized Meetings

The Agency shall meet individually with each affected tenant to determine any needs related to that affected tenant's health or a disability prior to daytime displacement, including ensuring dietary needs are met during the daytime displacement, as well as access to pre-existing services such as, Home Health Care Workers, and at home Doctor visits.

C. Inspections

Upon completion of renovations the Agency shall ensure that the unit is clean, safe, free from construction debris, and otherwise suitable for habitation before the effected tenant returns to the unit. Daily during renovations and outside of construction hours the relocation coordinator shall conduct routine inspections of the units under construction to ensure that each such unit is clean, safe, and free from construction debris, prior to resident returns. The coordinator shall be regularly available to address affected tenant grievances regarding construction.

7 REPORTING

It is the owner or the developer's responsibility to maintain good recordkeeping, and the Department of Housing's expectation that the owner or developer will maintain records in an effective manner that maintains continuity, regardless of staff turnover. The Agency must keep records in detail, sufficient to demonstrate compliance with applicable laws, regulations, local housing and occupancy codes.

A. Record Keeping Requirements

It is the owner or developer's responsibility to ensure that all records regarding internal transfers and/ or temporary relocation actions are properly maintained and available, if requested for monitoring purposes. This includes any files that may be kept by third parties (e.g., consultants). Documentation on affected tenants shall include:

- 1) Evidence that the affected tenant received timely written notice that they would be temporarily relocated by the project or that they might be internally transferred (copy of the General Information Notice and receipt for the delivery of the Notice).
- 2) For an affected tenant of a dwelling, evidence that the affected tenant received:
 - (a) A timely offer of a reasonable opportunity to lease and occupy a suitable, decent, safe and sanitary affordable dwelling in the building/complex upon completion of the project (i.e., may return to their original unit or comparable new unit within the building), and (b) reimbursement of expenses incurred in connection with any temporary relocation or an internal move to another unit in the building/complex.
- 2) For each person who is not temporarily relocated but elects to relocate permanently, a reason for the move and records of any personal contact to explain that they will not qualify for relocation assistance as a displaced person.
- 3) Documentation to support eviction for cause;
- 4) Documentation to support a determination that a person was not a legal occupant of the property;
- 5) A copy of any appeal or complaint filed and Agency response.
- 6) List of all tenants deemed "Affected Tenants".

B. Retention Period

1. All pertinent records shall be retained no less than three years after the latest of:
 - a) The date by which all payments have been received by affected tenants for the project and all housing relocation payments have been received;
 - b) The date the project has been completed;
 - c) The date by which all issues resulting from litigation, negotiation, audit, or other action (e.g., construction compliance) have been resolved and final action taken.

C. Department of Housing Monitoring of Records

Monitoring may occur as a result of DOH's routine risk assessment process or due to the severity or number of complaints received from the public about a particular project or

Agency procedures. The failure to document compliance with applicable regulations may lead DOH to issue findings and recommendations based on apparent noncompliance and recommend corrective action or enforcement provisions.

D. Confidentiality of Records

Records maintained by the Agency to demonstrate compliance with the policies in this rules and regulations are confidential. They shall not be made available as public information, unless required by applicable law. Only authorized staff of the Agency or DOH shall have access to them, subject to applicable law. However, upon the written request of an affected person, the Agency shall give the person or the persons designated representative the opportunity to inspect and copy, during normal business hours, all records pertinent to his/her case, except materials which are classified as confidential by the Agency. The Agency may impose reasonable conditions on the affected tenant's right to inspect these records, consistent with applicable laws.

The City of Chicago may establish recordkeeping requirements for recipients beyond those set forth in this rules and regulations manual.

7.1 FILING AND RESPONDING TO COMPLAINTS

If an affected tenant contends that relocation services are not being implemented properly, the affected tenant may file a written appeal to the Agency and the DOH, where staff is responsible for ensuring that the Agency:

- A. Properly determines whether the affected tenant qualifies or will qualify as a person who is eligible for relocation assistance;
- B. Properly determines the amount of any relocation payment required by the relocation plan;
- C. Properly provides an appropriate temporary unit offer
- D. Properly responds to an appeal in a timely manner.
- E. Provide all required notices to the Affected Tenant.

8 ENFORCEMENT

Penalties for Agencies who fail to meet the Chicago Relocation Plan Ordinance requirements are subject to the Enforcement provisions. Enforcement provisions include:

- A. The City may deny future requests or applications for City Funding to any Responsible Party that violates this chapter.
- B. An Owner and a Developer shall be jointly and severally liable for any violation of this chapter.

C. Any person who violates the Ordinance shall be subject to a fine of not less than \$100 nor more than \$500 for each offense. Each day a violation continues shall constitute a separate offense.

D. In addition to any fine or penalty imposed by the Ordinance, the Corporation Counsel may seek an injunction or other equitable relief in a court of competent jurisdiction to stop any violation of the Ordinance.

8.1 CONFLICT WITH STATE OF FEDERAL LAWS

The Chicago Relocation Plan Ordinance shall be construed so as not to conflict with applicable federal or state laws, rules, or regulations.

8.2 EXCLUSIONS

The Chicago Relocation Plan Ordinance shall not apply to any relocation required as a result of an emergency affecting life safety or rendering the affected premises uninhabitable, or pursuant to court order, or pursuant to the exercise of police power by the City due to threats to health and safety.

It will not apply to any project that has received, by September 1, 2019, either the approval of City Council, including a bond inducement ordinance, or has a tax credit reservation letter from the Department or its predecessor.

If the URA applies to a project, the requirements of the URA shall govern relocation requirements.

9 CHANGES TO THE RULES AND REGULATIONS

The Rules and Regulations may be updated at any time at the discretion of the Commissioner. The current version of the Rules will be dated and published on the DOH website at www.cityofchicago.org.

10 PROGRAM CONTACTS

Questions about the Chicago Relocation Plan Ordinance can be directed to the following individuals.

Department of Housing

Senior Relocation Ordinance Compliance

Project Coordinator

121 N LaSalle, room 1006

Chicago, IL 60602

Phone: 312.744.5409

APPENDIX

A1..... Chicago Relocation Plan Ordinance Checklist Form
A2..... Notice and Meeting Timeline
A3..... GIN Guide Form
A4..... 90 Day Notice Guide Form
A5..... NOE Guide Form
A6..... Temporary Day Time Displacement Guide Form
A7..... 30 Day Notice Guide Form

Chicago Relocation Plan Ordinance: Checklist

Relocation Plan Assessment

Although permanent displacement may not be anticipated, a development may still incur Temporary Relocation or Internal Transfer liabilities. The Chicago Relocation Plan Ordinance contains specific requirements for City Funding awards involving temporary relocation and/or internal transfer of senior citizens residing in the Chicagoland area. The following checklist will determine if your project will be required to meet the specifications of the Chicago Relocation Plan Ordinance or if the Uniform Relocation Assistance and Real Property Acquisition Act (1970) applies.

A. The proposed development will require the following type of tenants to relocate:

1. _____ N/A-The proposed development involves no internal transfers or temporary relocations of Senior Citizens or less than 24 units with Senior Citizens residing in the development will be relocated and or required to transfer internally. *(Skip to question #B)*
2. _____ The proposed development has 24 or more units with Senior Citizens and will involve temporary relocations and or internal transfers.

B. The proposed development involves (check all that apply):

1. Permanent or Temporary Relocations and has received funding from the following sources:

- Federal Funding
 State Funding
 City Funding
 Private Funding

Please list all funding sources:

1. _____
2. _____
3. _____
4. _____
5. _____

a) If funding has been applied for or received directly from the Federal Government or involves federal funding (i.e HOME), please refer to The Uniform Relocation Assistance and Real Property Acquisition Act (1970). Additional clarification and requirements may need to be met regarding permanent displacement and temporary displacement activities.

b) If your response was yes to question A and funding has been received from the City of Chicago, please submit the following to the City of Chicago Department of Housing:

1. Relocation Checklist
2. Relocation Plan

Questions about the Chicago Relocation Plan Ordinance can be directed to the following:
Department of Housing: 121 N LaSalle SUITE 1006 Chicago, IL 60602



Chicago Relocation Plan Ordinance: Timeline

<u>Deadline</u>	<u>Action</u>
No less than 180 days prior to planned Temporary Displacement or Mandatory Internal Transfer	Responsible Party shall submit to the Department its application, a relocation assessment checklist, and, if there will be Affected Tenants, its relocation plan.
Until at least 150 days after the Department has approved a relocation plan	Responsible Party may relocate any Affected Tenant no earlier than 150 days after Department approval or relocation plan.
At least 120 prior to the initiation of any relocation activities	Responsible party must: (a) post notices, and (b) hold at least one group meeting open to all residents of a Covered Building.
At least 120 days before relocation begins at the Building	Responsible Party shall begin meeting with the household of each Affected Tenant to create a moving plan that is clear, has a specific timeline, and meets the household's reasonable accommodation and modification needs.
At least 90 days prior to a relocation of Affected Tenants	Responsible Party shall notify Affected Tenants of their Mandatory Internal Transfer or Temporary Displacement, including their anticipated moving date, anticipated transfer site, and any other information required by federal, state, or local law. Responsible Party shall subsequently meet individually with each Affected Tenant as to the relocation plan for that Affected Tenant.
Between 30-40 days prior to the scheduled relocation of Affected Tenants	Responsible Party shall: <ul style="list-style-type: none"> • Give Affected Tenants a 30-day reminder notice with the exact moving date; • Notify Affected Tenants that they may schedule a walk-through of the new housing unit with the Responsible Party prior to their scheduled relocation date.
Between 7-80 days prior to scheduled relocation of Affected Tenants	Responsible Party shall: Meet with the household of each Affected Tenant to reaffirm moving plan that is clear, and meets the household's reasonable accommodation and modification needs.
At least seven days prior to the scheduled relocation date	Responsible Party has to notify each Affected Tenant of any changes in that Affected Tenant's relocation date.
Within 30 days of the completed move	Time for Responsible Party reimburse packing costs, transporting costs, and certain utilities.



**Chicago Relocation Plan Ordinance
GUIDEFORM: General Information Notice**

Grantee or Agency Letterhead
(date)

Dear _____:

The (Agency Name) _____, is interested in rehabilitating the property you currently occupy at (address) for a proposed project which may receive funding assistance from the City of Chicago under the _____ program.

The purpose of this notice is to inform you that you will not lose your affordable housing in connection with the proposed project.

If the project application is approved and City Funding is provided, you may be required to move temporarily so that the rehabilitation can be completed. If you must move temporarily, suitable housing will be made available to you and you will be reimbursed for reasonable out of pocket expenses, including moving costs and any increase in housing costs. You will need to continue to pay your rent and comply with all other lease terms and conditions.

When the rehabilitation is finished, you will be able to lease and occupy your current apartment or another suitable, decent, safe and sanitary apartment in the same building/complex under reasonable terms and conditions.

If City Funding is provided for the proposed project, you will be protected by a Municipal law known as the Chicago Relocation Plan Ordinance. One of the Chicago Relocation Plan Ordinance protections for senior citizens temporarily relocated is that we will regularly communicate with you throughout this process and will work with you to create an individualized moving plan.. You will also have the right to appeal the property owner or developer’s determination, if you feel that your application for assistance was not properly considered.

We urge you not to move at this time. If you choose to move now, you will not be provided relocation assistance.

Please remember:

- **This is not a notice to vacate the premises.**
- **This is not a notice of relocation eligibility.**

You will be contacted soon so that we can provide you with more information about the proposed project. If the project is approved, we will make every effort to accommodate your needs. In the meantime, if you have any questions about our plans, please contact:

(name) _____, (title) _____,
(address) _____, (phone) _____.
Sincerely, (name and title) _____





Chicago Relocation Plan Ordinance
GUIDEFORM: 90-DAY NOTICE TO VACATE

Grantee or Agency Letterhead

(Date)

Dear _____:

On _____ (date) _____, the (Agency Name) _____, notified you of proposed plans to (acquire, rehabilitate, or demolish) _____ the property you currently occupy at (address) _____ for a project which could receive funding assistance from the City of Chicago under the _____ program. On _____ (date) _____, the project was approved and will receive City Funding.

It has been determined that you will be _____ temporarily relocated/or internally transferred____. Since you are being temporarily moved in connection with this City funded project, you will be eligible for relocation assistance and payments under the Chicago Relocation Plan Ordinance.

To carry out the project, it will be necessary for you to move on _____. However, **you do not need to move now**. This letter shall serve as a 90-Day advance written notice of the date by which you must vacate.

- This is your 90 Day Notice.
- The effective date of your relocation is _____.

The (insert property owner/management agent/developer’s name)____, would like to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments, housing referrals, and counseling, other services are available to you. A representative of this office will contact you two additional times via a written 30 day notice to vacate and a final follow up one-on-one meeting to determine your needs and preferences are being met. He/She will explain your rights and help you obtain the relocation payments and other assistance for which you are eligible.

The relocation assistance to which you are entitled includes:

- Relocation Counseling and Support Services
- Moving Supplies
- Payment for Moving Expenses
- Replacement Housing Payment, if applicable

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your designated relocation counselor, (name)_____, (title)_____ at (phone)_____, (address)_____.

Remember, do not move or commit to rent a replacement home before we have a chance to further discuss your eligibility for relocation assistance. This letter is important to you and should be retained.

Sincerely, _____ (name & title) _____





Chicago Relocation Plan Ordinance
GUIDEFORM: NOTICE OF ELIGIBILITY

Grantee or Agency Letterhead

(Date)

Dear _____:

On ____ (date) ____, the (Agency Name) _____, notified you of proposed plans to (acquire, rehabilitate, or demolish) _____ the property you currently occupy at (address) _____ for a project which could receive funding assistance from the City of Chicago under the _____ program. On ____ (date) ____, the project was approved and will receive City Funding.

It has been determined that you will be ____ (temporarily relocated/or internally transferred) ____. Since you are being moved in connection with this City funded project, you will be eligible for relocation assistance and payments under the Chicago Relocation Plan Ordinance.

- This is your Notice of Eligibility for relocation assistance.
•The effective date of your eligibility is _____. (This is the application approval date from the City of Chicago).

To carry out the project, it will be necessary for you to move. However, you do not need to move now. You will be provided written notice of the date by which you will be required to move. This date will be no less than 90 days from the date comparable replacement housing has been made available to you.

Enclosed is a brochure entitled, "Relocation Information Brochure." 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.

The relocation assistance to which you are entitled includes:

- Relocation Counseling and Support Services
•Moving Supplies
•Payment for Moving Expenses
•Replacement Housing Payment

Listed below are three comparable replacement dwelling units that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect these and other replacement dwellings.

Table with 3 columns: Address, Rent & Utility Costs, Contact Info. Rows 1, 2, 3.



We believe that the dwelling located at (address) is the most representative of your present home. The monthly rent and the estimated average monthly cost of utilities for this dwelling is \$ and it will be used to calculate your maximum replacement housing payment. Please contact us immediately if you believe this dwelling is not comparable to your current home. We can explain our basis for selecting this dwelling as most representative of your current home and discuss your concerns.

Please note that all replacement housing must be inspected in order to ensure it is decent, safe and sanitary before any replacement housing payments are made.

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact (name)_____, (title)_____ at (phone)_____, (address)_____ before you make any moving plans. He/she will assist you with your move to a new home and help ensure that you preserve your eligibility for all relocation payments to which you may be entitled.

Remember, do not move or commit to rent a replacement home before we have a chance to further discuss your eligibility for relocation assistance. This letter is important to you and should be retained.

Sincerely, ___(name & title)_____



Chicago Relocation Plan Ordinance
GUIDEFORM: NOTICE OF TEMPORARY DAYTIME DISPLACEMENT

Grantee or Agency Letterhead

(Date)

Dear _____:

On _____ (date) _____, the (Agency Name) _____, notified you of proposed plans to rehabilitate _____ the property you currently occupy at (address) _____ for a project which could receive funding assistance from the City of Chicago under the _____ program. On _____ (date) _____, the project was approved and will receive City Funding.

It has been determined that you will be required to temporarily relocate from your apartment during the day during the construction period. Since you are being temporarily relocated during the day in connection with this City funded project, you will be eligible for relocation assistance under the Chicago Relocation Plan Ordinance.

To carry out the project, it will be necessary for you to temporarily vacate your unit between the hours of _____ am/pm to _____ am/pm, on _____ (dates). However, you do not need to temporarily vacate your unit now. You will be provided additional written notice, to serve as a reminder of the dates on which you will be required to temporarily relocate. This date will be no less than 30 days from the date a suitable, decent, safe, sanitary dwelling will be made available to accommodate your temporary daytime relocation.

The relocation assistance to which you are entitled includes:

- Relocation Counseling and Support Services
•Daytime Meal Stipend
•Entertainment, such as a TV
•Construction Debris Cleaning Services

We believe that the dwelling unit located at (address) is the most representative of your present home. It may be used at your discretion to accommodate you during the temporary daytime displacement. We can explain our basis for selecting this dwelling as most representative of your current home and discuss your concerns.

If you have any questions about this letter and your temporary daytime displacement or relocation assistance, please contact (name) _____, (title) _____ at (phone) _____, (address) _____ before you make any plans. He/she will assist you with your questions and help ensure you have an individualized plan in place during the relocation period.

Sincerely,

_____(name & title)_____

