

# **The State of Arkansas**

Residential Anti-Displacement and  
Relocation Assistance Plan (RARAP)

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## 1 Overview

This Residential Anti-Displacement and Relocation Assistance Plan (RARAP) establishes the policies and procedures by which the Arkansas Development Finance Authority (ADFA) will minimize displacement and provide relocation assistance, as required, in connection with activities assisted with Community Development Block Grant – Disaster Recovery (CDBG-DR) funds.

## 2 Policy and Applicability

This RARAP is prepared by ADFA in accordance with Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. § 5304(d)), and its implementing regulations at 24 CFR Part 42; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 4601 et seq.) (URA), and its implementing regulations at 49 CFR Part 24; and the Community Development Block Grant – Disaster Recovery (CDBG-DR) program requirements governing displacement, relocation, acquisition, and replacement of housing at 24 CFR §§ 570.488 and 570.606, as modified by applicable waivers and alternative requirements set forth in HUD’s CDBG-DR Universal and Consolidated Notices, as amended. This RARAP applies to all CDBG-DR assisted projects and activities administered by ADFA, its subrecipients, and development partners.

## 3 Minimizing Displacement

Consistent with the goals and objectives of projects and activities receiving CDBG-DR assistance, ADFA will take reasonable and appropriate steps to minimize both direct and indirect displacement of persons from their homes and neighborhoods. These steps include the following:

### 1. Program Design and Impact Evaluation

ADFA will evaluate potential impacts to renters and owners separately when assessing unmet needs and designing CDBG-DR programs—recognizing that displacement risks, relocation needs, and recovery options may differ between these populations.

### 2. Priority for Rehabilitation

Where feasible, reasonable, and appropriate considering all applicable risk factors, ADFA will prioritize the rehabilitation or reconstruction of existing housing over demolition in order to avoid or reduce permanent displacement.

**3. Limiting Demolition and Conversion**

Where feasible, reasonable, and appropriate considering all risk factors, ADFA will limit demolition or conversion activities to dwelling units that are unoccupied or vacant occupiable units, with particular attention to minimizing impacts on dwelling units occupied by lower income households.

**4. Incorporation into Program Selection and Evaluation**

ADFA will incorporate relocation considerations into program selection, funding decisions, and evaluation criteria, as applicable. Priority may be given to projects that maintain or increase the total number of occupied or occupiable dwelling units and that propose construction or rehabilitation phasing strategies that allow residents to remain in place when feasible.

**5. Staging of Rehabilitation Activities**

ADFA will encourage subrecipients and development partners, where feasible, to stage rehabilitation activities in multifamily or multi-unit properties so that work begins in vacant units first, allowing tenants to remain in the building or development during and after rehabilitation whenever practicable.

**6. Subrecipient Relocation Planning Requirements**

ADFA will require subrecipients undertaking activities that may trigger relocation to develop and implement project specific relocation plans, consistent with this RARAP and applicable federal requirements, prior to the release of CDBG-DR funds for those activities.

**7. Technical Assistance and Support**

ADFA may provide technical assistance to subrecipients and development partners related to relocation compliance, including assistance with required notices and identifying comparable temporary or permanent relocation housing for impacted persons.

**8. Application Documentation Requirements**

Funding applications for activities that may result in displacement will be required to include information sufficient to identify potential relocation impacts and demonstrate compliance with applicable relocation requirements, including documentation of required notices, where applicable.

**9. Coordination and Communication**

ADFA will encourage coordination among subrecipients, contractors, local officials, property owners, and affected tenants during acquisition,

rehabilitation, or demolition activities to ensure timely communication, appropriate notice, and strategies designed to minimize displacement.

#### **10. Monitoring and Oversight**

ADFA will monitor subrecipient activities and construction progress to identify potential displacement issues, provide guidance as needed, and enforce compliance with applicable relocation requirements, including the URA and this RARAP.

## **4 Relocation Assistance**

When displacement cannot be avoided, ADFA and its subrecipients or development partners will provide relocation assistance in accordance with applicable federal requirements. Displaced persons who are lower-income tenants and are displaced as a result of the demolition or conversion of a lower-income dwelling unit will receive assistance pursuant to Section 104(d) and 24 CFR Part 42. All other displaced persons will receive assistance pursuant to the URA and 49 CFR Part 24, including advisory services, moving expenses, and replacement housing assistance, as applicable.

## **5 Waivers and Alternative Requirements**

HUD has issued waivers and alternative requirements applicable to the use of CDBG-DR funds through the Universal Notice and related Allocation Announcement Notices. ADFA will implement this RARAP in accordance with those waivers and alternative requirements, as amended, including provisions related to the Residential Anti-Displacement and Relocation Assistance Plan, Section 104(d) replacement housing, voluntary acquisition, and URA requirements.

### **5.1 Section 104(d) One-for-One Replacement Housing**

In accordance with Section 104(d) of the Housing and Community Development Act of 1974 and 24 CFR § 42.375, ADFA will ensure the one-for-one replacement of occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than lower-income housing in connection with CDBG-DR-assisted activities, unless a statutory or HUD-approved waiver or exception applies.

Replacement housing will be provided within the timeframes required by federal regulations and will be comparable in size, quality, and location, and affordable to households of similar income levels for the required

affordability period. Replacement units may be provided through rehabilitation, reconstruction, or new construction, and may be located on-site or off-site, as permitted by program design and applicable requirements.

Before committing CDBG-DR funds to activities that would trigger one-for-one replacement requirements, ADFA will require sufficient project information to evaluate compliance, including the number and type of affected units and the proposed approach and timing for replacement housing. Where permitted under 24 CFR § 42.375(d), ADFA may determine that replacement housing is not required based on documented evidence of an adequate supply of vacant lower-income units available on a nondiscriminatory basis.

ADFA will track replacement housing obligations and outcomes and monitor subrecipient compliance as part of its overall CDBG-DR oversight responsibilities.

## 5.2 URA Regulations

HUD has waived the relocation assistance requirements of Section 104(d) of the Housing and Community Development Act of 1974 and 24 CFR § 42.350 to the extent that the types and amounts of relocation assistance otherwise required under Section 104(d) differ from those provided under the URA and its implementing regulations at 49 CFR Part 24. This waiver does not affect an individual's eligibility as a displaced person under Section 104(d); rather, it limits the relocation assistance available under Section 104(d) to the types and amounts of assistance provided under the URA, as amended.

ADFA will administer relocation assistance in accordance with the requirements of the URA and its implementing regulations at 49 CFR Part 24 in carrying out CDBG-DR-assisted activities.

## 5.3 Optional Relocation Policies

HUD has waived the requirements at 24 CFR § 570.606(d) to the extent that they require optional relocation policies to be established at the grantee level for CDBG-DR programs. Notwithstanding this waiver, ADFA will require subrecipients and development partners to implement this RARAP rather than develop and adopt separate relocation policies.

ADFA will further require subrecipients and development partners to comply with the URA and its implementing regulations at 49 CFR Part 24 for any household that is involuntarily displaced as a result of CDBG-DR-assisted activities, regardless of income.

#### 5.4 Lump Sum Rental Assistance Payments

HUD has waived the requirements of 42 U.S.C. § 3537(c) to the extent necessary to allow CDBG-DR grantees to provide lump-sum relocation rental assistance payments to displaced residential tenants. This waiver permits ADFA to offer rental assistance in a single payment rather than through installment payments.

Providing lump-sum rental assistance reduces administrative burden for ADFA and its subrecipients or development partners and allows displaced households to access needed assistance more quickly, supporting timely and efficient disaster recovery.

#### 5.5 Voluntary Acquisition

HUD has provided alternative requirements permitting voluntary acquisition of real property for CDBG-DR purposes, including buyout programs, without triggering certain URA requirements, provided that all conditions for voluntary acquisition are met and properly documented.

#### 5.6 Section 414 of the Stafford Act

Section 414 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5181) provides that persons otherwise eligible for replacement housing assistance under the URA may not be denied such assistance solely because they are unable to meet URA occupancy requirements due to a Presidentially declared disaster.

HUD has waived Section 414 and its implementing regulations as they apply to CDBG-DR-funded acquisition, rehabilitation, or demolition activities that commence more than one year after the date of the applicable disaster declaration, provided that such activities were not planned, approved, or underway prior to the disaster. For purposes of this waiver, a CDBG-DR project is considered to have commenced on the earliest of: (1) HUD approval of a Release of Funds and certification; (2) completion of a site-specific environmental review where tiering is used;

or (3) conversion of a project to exempt status under 24 CFR § 58.34(a)(12).

This waiver does not affect the eligibility of persons who meet URA occupancy requirements, nor does it apply to persons displaced or temporarily relocated by other HUD-assisted programs. ADFA will ensure that relocation assistance and payments provided under the URA are not adversely affected by this waiver.

## **6 Recordkeeping and Monitoring**

ADFA will require subrecipients and development partners to maintain documentation demonstrating compliance with this RARAP, including notices, relocation payments, replacement housing tracking, and determinations related to displacement minimization. ADFA will monitor compliance as part of its CDBG-DR oversight responsibilities.

## **7 Contact Information**

Information regarding compliance responsibilities and points of contact is available on ADFA's website at <https://adfa.arkansas.gov/contact/> .