



**Working Draft Concept  
Document for Public Input  
for the Risk Mitigation Policy  
January 17, 2019**

The assistance provided under this Policy is contingent upon appropriation of funds by City Council and the allocation of resources to implement this Policy.

All assistance is subject to the availability of funds.

**DRAFT**

## **I. RELOCATION ASSISTANCE FOR DISPLACEMENT DUE TO CITY- INCENTIVIZED REDEVELOPMENT**

### **A. PURPOSE**

This policy is intended to outline requirements for relocation assistance in cases where development or redevelopment benefits from city incentives and causes displacement of households occupying multifamily rental units or mobile homes. Projects which result in displacement of households occupying multifamily rental units or mobile homes shall not receive incentives from the City unless adequate relocation assistance is provided.

### **B. ELIGIBILITY**

This policy applies to any development or redevelopment which receives at least \$15,000 of city incentives. City incentives include:

- SAWS and City Fee waivers
- Tax abatements
- Tax Increment Financing
- Direct City funding in the form of loans or grants

and displaces five (5) or more occupied multifamily rental units or mobile homes. This policy does not apply to projects subject to federal Uniform Relocation Assistance Act (URA). For the purposes of this policy, Rental Incentive Fund dollars are not considered an applicable city incentive.

### **C. NOTIFICATION TO CITY**

When pursuing or applying for incentives, an owner/developer must disclose whether the proposed site currently contains five (5) or more occupied rental units. If a proposed project involves the displacement of five (5) or more residents, any incentives awarded shall be contingent on meeting the provisions of this policy.

Alternative assistance may be considered as approved by the Director of Neighborhood and Housing Services but shall be equivalent or superior to the following:

### **D. NOTIFICATION TO RESIDENTS**

The owner/developer of an incentivized project is responsible for providing written notice to vacate to all affected households at least 90 days prior (180 days if the site is a mobile home park) to vacation, in accordance with effective lease terms and applicable State law. The notice shall be delivered to each affected household in English and Spanish.

### **E. RESIDENT MEETINGS**

The owner/developer of an incentivized project in coordination with the City is responsible for holding at least two meetings with households to ensure they are aware of the services available to them. The meetings shall be held at times most convenient for the majority of households. The meetings will be used to disseminate factual information about the impending

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relocation and available resources. The meetings are to be held at ADA accessible locations within the subject property site. Each meeting must be scheduled on a weeknight with a scheduled start time no earlier than 5:30 p.m. and no later than 7:30 p.m., on a Saturday with a scheduled start time no earlier than 9:00 a.m. and no later than 5:00 p.m., or on a Sunday with a scheduled start time no earlier than 11:00 a.m. and no later than 5:00 p.m. City staff must receive written notice of the meeting at least seven (7) calendar days in advance of the scheduled meeting date with all relevant meeting details included (notices to staff shall be emailed to [HousingPolicy@sanantonio.gov](mailto:HousingPolicy@sanantonio.gov)). Notice of the meeting must also be posted on the subject property in the form of a sign measuring at least 36 inches wide by 24 inches tall, and will include all relevant meeting details in English and Spanish.

### **F. HOUSING COUNSELING SERVICES**

The City will provide fair housing counseling, referrals, and coordination with school districts to all households as needed. Referrals include those to delegate agencies offering relevant services and resources and a list of affordable apartments or rental homes.

### **G. RELOCATION ASSISTANCE AMOUNTS**

The City will conduct a needs assessment to determine the amount of financial assistance available to each household. Households with income at or below 80% of the Area Median Income (AMI) as defined by HUD are eligible. The City in its sole discretion will determine eligible expenses and administer assistance on behalf of the owner/developer not to exceed the allowable limit under this policy.

Relocation fees will be based on a resident's current rental or ownership unit classification (multi-family or mobile home), not the housing destination unit classification.

**Multi-Family Properties:** Each household with income at or below 80% AMI as defined by HUD will be eligible for up to \$3,000 in financial assistance from the owner/developer which may include eligible expenses toward a hotel, storage, moving costs, deposit, and/or first month's rent. Should Fair Housing staff determine a household's eligible expenses exceed \$3,000, the City shall pay the remaining eligible expenses at the discretion of the Director of Neighborhood and Housing Services or their designee.

**Mobile Home Parks:** Each household with income at or below 80% AMI as defined by HUD will be eligible for up to \$7,000 in financial assistance from the owner/developer, to include mobile home moving expenses, utility reconnections and repairs needed to move or demolish the structure if necessary. Should Fair Housing staff determine a household's eligible expenses exceed \$7,000, the City shall pay the remaining eligible expenses at the discretion of the Director of Neighborhood and Housing Services or their designee.

**Developer cost calculation:** The owner/developer of an incentivized project agrees to deduct the lesser of

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- a) the developer's maximum relocation assistance expense per household times the number of occupied unit or;
- b) 25% of the award from the incentive received.

If total relocation costs for all residents are below the amount deducted, the developer shall be reimbursed by the City within 30 (thirty) days of the last household vacating the property.

If relocation fees exceed 25%, the City will pay the remaining cost as approved by the Director of Neighborhood and Housing Services.

### **H. RELOCATION**

The City will prioritize relocation of displaced residents near the subject property and within the City identified neighborhood boundary. City staff will only provide housing that is safe, decent, and sanitary.

### **I. ENFORCEMENT**

By accepting the city incentives, an owner/developer agrees to the terms of the relocation policy. Where city incentives require a signed contract or agreement, a supplemental contractual agreement will outline enforcement mechanisms and penalties for noncompliance with the relocation policy. Such penalties may include, but are not limited to, forfeit and repayment of Incentive funds, fines in the amount of the incentives granted, and ineligibility for future Incentives. Where city incentives do not require a signed contract or agreement, the applicant will disclose the number of occupied multifamily rental units or occupied mobile homes on site on the Incentive application. Applications which indicate that a site includes occupied multifamily rental units or occupied mobile homes will undergo further review to determine whether the policy applies. If the policy applies, a contractual agreement will outline enforcement mechanisms and penalties for noncompliance with the relocation policy.

## **II. VOLUNTARY RELOCATION ASSISTANCE FOR DISPLACEMENT DUE TO REDEVELOPMENT**

### **A. PURPOSE**

This policy is intended to outline requirements for relocation assistance in cases where a development or redevelopment causes displacement of households occupying multifamily rental units or mobile homes. This voluntary program assists with relocation costs for projects which result in displacement of households occupying multifamily rental units or mobile homes.

### **B. ELIGIBILITY**

This voluntary policy is available to any development or redevelopment that will displace five (5) or more occupied multifamily rental units or occupied mobile homes on leased or rented property and is located within the city limits of San Antonio. This policy does not apply to projects subject to Uniform Relocation Assistance Act (URA).

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While relocation efforts may be tailored to each case, and alternative assistance may be considered as approved by the Director of Neighborhood and Housing Services or their designee. Assistance shall be equivalent or superior to the terms following:

### **C. NOTIFICATION TO CITY**

An owner/developer that participates in the voluntary program must notify the City's Neighborhood and Housing Services Department of their intent to participate by submitting their application in person or by email to [HousingPolicy@sanantonio.gov](mailto:HousingPolicy@sanantonio.gov).

### **D. NOTIFICATION TO RESIDENTS**

The owner/developer of an incentivized project is responsible for providing written notice to vacate to all households at least 90 days prior (180 days if the site is a mobile home park) to vacation, in accordance with effective lease terms and applicable State law. The notice shall be delivered to each household in English and Spanish.

### **E. RESIDENT MEETINGS**

The owner/developer of an incentivized project in coordination with the City is responsible for holding at least two meetings with households to ensure they are aware of the services available to them. The meetings shall be held at times most convenient for the majority of households. The meetings will be used to disseminate factual information about the impending relocation and available resources. The meetings are to be held at ADA accessible locations within the subject property site. Each meeting must be scheduled on a weeknight with a scheduled start time no earlier than 5:30 p.m. and no later than 7:30 p.m., on a Saturday with a scheduled start time no earlier than 9:00 a.m. and no later than 5:00 p.m., or on a Sunday with a scheduled start time no earlier than 11:00 a.m. and no later than 5:00 p.m. City staff must receive written notice of the meeting at least seven (7) calendar days in advance of the scheduled meeting date with all relevant meeting details included (notices to staff shall be emailed to [HousingPolicy@sanantonio.gov](mailto:HousingPolicy@sanantonio.gov)). Notice of the meeting must also be posted on the subject property in the form of a sign measuring at least 36 inches wide by 24 inches tall, and will include all relevant meeting details in English and Spanish.

### **F. HOUSING COUNSELING SERVICES**

The City will provide fair housing counseling, referrals, and coordination with school districts to all households as needed. Referrals include those to delegate agencies offering relevant services and resources and a list of affordable apartments or rental homes.

### **G. RELOCATION ASSISTANCE AMOUNTS**

The City will conduct a needs assessment to determine the amount of financial assistance available to each household. Households with income at or below 80% of the Area Median Income (AMI) as defined by HUD are eligible. The City in its sole discretion will determine eligible expenses and administer assistance on behalf of the owner/developer not to exceed the allowable limit under this policy. Assistance will be administered directly to the new housing provider by the City.

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Each household will be eligible for financial assistance administered by the City valued at up to \$1,500, which may include eligible expenses toward a hotel, storage, moving costs, deposit, and/or first month's rent. A household residing in an owner-occupied mobile or manufactured home which can be moved to another site is eligible for up to \$3,500 in assistance per household, to include mobile home moving expenses, utility reconnections and repairs necessary to move the structure.

Relocation fees will be based on a resident's current rental or ownership unit classification, not the housing destination unit classification.

**Multi-Family Properties:** Each household with income at or below 80% AMI as defined by HUD will be eligible for up to \$1,500 in financial assistance from the owner/developer which may include eligible expenses toward a hotel, storage, moving costs, deposit, and/or first month's rent. Funding will be administered by the City and reimbursed by the developer. Should the City determine a household's eligible expenses exceed \$1,500, the City shall pay the remaining eligible expenses at the discretion of the Director of Neighborhood and Housing Services or their designee.

**Mobile Home Parks:** Each household with income at or below 80% AMI as defined by HUD will be eligible for up to \$3,500 in financial assistance from the owner/developer, to include mobile home moving expenses, utility reconnections and repairs needed to move or demolish the structure if necessary. Funding will be administered by the City and reimbursed by the developer. Should the City determine a household's eligible expenses exceed \$3,500, the City shall pay the remaining eligible expenses at the discretion of the Director of Neighborhood and Housing Services or their designee.

### H. RELOCATION

City staff will prioritize relocation of displaced residents near the subject property and within the City identified neighborhood boundary. City staff will only provide housing that is safe, decent, and sanitary.

### I. ENFORCEMENT

By participating in the program, an owner/developer agrees to the terms of the relocation policy. Enforcement mechanisms and penalties for noncompliance with the relocation policy may include, but are not limited to, fines equal the amount of assistance provided by the City.

### J. FUTURE APPLICATION FOR CITY INCENTIVES

By participating in this program, the applicant may not receive city incentives on the same site for a period of two years, unless the relocation amount paid by the City is reimbursed or deducted from the proposed incentive amount, not to exceed 25% of the proposed incentive.

### **III. RELOCATION ASSISTANCE FOR DISPLACEMENT AS A RESULT OF RAPID INCREASE IN RENTAL HOUSING COSTS**

#### **A. PURPOSE**

This policy is intended to outline requirements for relocation assistance in cases where rapid neighborhood change causes displacement of households occupying multifamily rental units or mobile homes on leased or rented property through a rapid rise of rent.

#### **B. ELIGIBILITY**

To be eligible, renters must:

- a. Experience a single year rental rate increases of 15% or more within a one-year (12 month) period;
- b. The proposed increase in rent is over 30% of household income
- c. Have incomes at or below 100% AMI as defined by HUD;
- d. Provide documentation indicating the increased rent; and
- e. Reside within the city limits of San Antonio.

Relocation Assistance does not apply to the following situations:

- a. Rental Agreements for week-to-week tenancies;
- b. Renters that occupy the same dwelling unit as the owner/landlord;
- c. A dwelling unit that is subject to and in compliance with federal Uniform Relocation Assistance;
- d. A dwelling unit where the landlord has provided a fixed term tenancy and notified the resident prior to occupancy, of the Landlord's intent to sell or permanently convert the Dwelling Unit to a use other than as a Dwelling Unit subject to the Act.

While relocation efforts may be tailored to each case, assistance shall be equivalent or superior to the following:

#### **C. HOUSING COUNSELING SERVICES**

The City will provide housing counseling, referrals, and coordination with school districts to all households, as needed. Referrals include those to delegate agencies offering relevant services and resources, and a list of affordable apartments and rental homes.

#### **D. RELOCATION EXPENSES**

The City will conduct an assessment to determine the amount of financial assistance available to each household. Households with incomes at or below 100% of the Area Median Income are eligible for financial assistance. The City in its sole discretion will determine eligible expenses and administer assistance through approved vendors.

Each household will be eligible for financial assistance up to \$2,000, which may include eligible expenses toward a hotel, storage, moving costs, deposit, and/or rent. A household residing in an owner-occupied mobile or manufactured home is eligible for up to \$5,000 in additional assistance per household, to include mobile home moving expenses, utility reconnections and repairs necessary to move the structure.

## IV. EMERGENCY ASSISTANCE PROGRAM FOR HOUSING STABILIZATION

### A. PURPOSE

This program is intended to help stabilize renter and homeowner households by providing short term emergency financial assistance to residents experiencing eligible financial hardships. The program allows residents to remain housed and mitigates the potential compounding effects of emergency financial situations.

### B. ELIGIBILITY

This program is designed for resident households experiencing emergency situations affecting their ability to pay rent and/or utility bills, including- but not limited to- job/wage instability, health-related crisis, unsafe housing, and other life emergencies. This fund will provide emergency financial assistance payments for rent and rent-related payments.

Applicants must meet the following criteria:

- a. Be a current resident of the City of San Antonio
- b. Have an income at or below 80% AMI as defined by HUD
- c. Provide documentation for the proof of hardship that renders the applicant unable to pay rent, utilities and other necessary bills
- d. Submit all documentation to the City for review prior to receiving the fund

Applicant must meet provide proof of emergency circumstance:

JOB/WAGE STABILITY			HEALTH-RELATED ISSUES		HOUSING STABILITY	OTHER
Unemployment/ Termination	Income		Medical		Unsafe Housing	Unexpected Expenses
	Hours Reduced	Wages Reduced	One-time support	Temporary Condition		
Termination letter from employer stating reason for termination	Employer letter stating change in hours	Employer letter regarding wage reduction	Estimate of treatment cost and hospital/or insurance bill	Receipt and discharge paperwork from hospital	Assessment of unsafe condition (by a specialist/contractor)	Receipts of expenses incurred such as: Funeral, tow , car repair, divorce, etc.
Proof of unemployment application	Paystubs for last three pay cycles	Employer letter of current/future hours per pay period	Diagnosis paperwork (doctor's note)	Doctor's note with release date for work	Cost of repair or receipt of repair payment	
Proof client has applied for benefits		Unemployment letter/SSI benefits discontinued	FMLA paperwork, if applicable	FMLA paperwork, if applicable		

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### **HOUSING COUNSELING SERVICES**

The City will provide housing counseling, referrals, and coordination with school districts to all households, as needed. Referrals include those to delegate agencies offering relevant services and resources, and a list of affordable apartments and rental homes.

### **EMERGENCY ASSISTANCE AMOUNTS**

The City will conduct an assessment to determine the exact amount of financial assistance available to each household. The City in its sole discretion will determine eligible expenses and administer assistance directly to the provider. Exemptions to assistance amounts may be approved by the Director of Neighborhood and Housing Services or their designee.

### **RENTERS**

Assistance will be administered directly to the landlord on behalf of the assisted household. Applicants will be eligible to receive up to (3) three months of rent assistance. Assistance can only be provided once over 12 months. Receiving assistance is subject to an assessment conducted by Fair Housing staff after the first month of payment. If a proof of hardship persists, the applicant will receive two monthly rent payments subject to attending required counseling and/or financial education classes.

An applicant is eligible to receive up to \$3,500 (one to three-month of rent, based on HUD 80% AMI estimate, and 30% maximum cap for the percent of income paid for rent).

### **HOMEOWNERS**

Homeowners' emergency assistance is limited to paying for utility assistance. Homeowners must provide documents for proof of hardship. City staff will assess the documents and make recommendations based on the applicants' eligibility, completion of the application, and supporting documents.

Amount of assistance per applicant will be up to \$1,000 per household per 12 month period. Utility assistance including electricity or water bills only. Payment will be deposited directly to the utility companies (CPS and SAWS).