



# Albemarle County

## Legislation Text

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**File #:** 20-510, **Version:** 1

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**AGENDA DATE:** 10/21/2020

**TITLE:**

Proposed guidelines for implementation of the Albemarle County Anti-displacement and tenant relocation policy.

**SUBJECT/PROPOSAL/REQUEST:** Review and discuss the draft Albemarle County Tenant Relocation Guidelines for Non-Federally Funded Residential Developments

**ITEM TYPE:** Regular Information Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Filardo, Rapp, Pethia

**PRESENTER (S):** Stacy Pethia

**LEGAL REVIEW:** Not Required

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** On September 18, 2019 the Board of Supervisors adopted a general anti-displacement and tenant relocation assistance policy for Albemarle County (Attachment A) and directed staff to develop a set of guidelines for policy implementation.

**STRATEGIC PLAN:** Infrastructure Investment: Prioritize, plan, and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs

**DISCUSSION:** Staff has completed the initial draft of the Albemarle County Anti-displacement and Tenant Relocation Guidelines (Attachment B). The guidelines are designed to provide benefits for residential tenants who will be displaced by housing demolition, substantial rehabilitation, conversion to nonresidential use, or sale of a residential property under a sales contract that requires an empty building. Tenant displacements result in personal hardship for those directly affected and also impact the surrounding neighborhoods and other communities within the County. The fundamental goal of the County's anti-displacement policy is to avoid tenant displacement whenever possible. However, when the displacement of tenants is unavoidable, the County will work with developers and property owners to enable displaced tenants to move directly to decent, structurally safe and affordable replacement housing convenient to their place of employment and/or education. Benefits include payment of relocation assistance, relocation services, and advance notice of the planned redevelopment.

The proposed guidelines provide the policy framework for protecting residential tenants who may be displaced due to housing demolition, substantial rehabilitation, conversion to nonresidential use, or sale of a residential property. The guidelines outline the requirements for development of a relocation plan including communications with tenants, assessing tenant rehousing needs, completion of a tenant profile, tenant eligibility requirements to receive relocation assistance, the types and amounts of relocation assistance to be provided, and requirements for relocation plan monitoring and reporting. County staff will provide technical assistance developing and implementing relocation plans at developers' requests. Staff worked with the

County Attorney to ensure the proposed guidelines conform with the Virginia Landlord and Tenants Act.

Adherence to the Guidelines will be mandatory for developers and property owners proposing projects which require a rezoning or special use permit, and/or projects that are receiving County support (financial or otherwise). Owners proposing by-right developments, which do not require County Board approval, are strongly encouraged (although not required) to follow the Guidelines. The proposed County guidelines will not apply to redevelopment projects using Federal or state funding programs (e.g., the Community Development Block Grant program funding or Low Income Housing Tax Credit financing) that require compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

**BUDGET IMPACT:** There is no direct budgetary impact specifically related to this information.

**RECOMMENDATION:**

Staff recommends the Board review and discuss the attached draft document and provide feedback on the proposed anti-displacement policy guidelines.

**ATTACHMENTS:**

Attachment A: Resolution - General Anti-Displacement and Tenant Relocation Assistance Policy

Attachment B: Draft - Albemarle County Tenant Relocation Guidelines for Non-Federally Funded Residential Developments

Attachment C: Developer and public comments