

**TOWN OF MILLINGTON
RESOLUTION #2023-09**

**A RESOLUTION TO ESTABLISH THE MARYLAND COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM ANTI-DISPLACEMENT PLAN**

The Town of Millington will take every preventable action to minimize the involuntary displacement of persons or businesses when using federal funds received from the Maryland Community Development Block Grant funds as a source of funding in our projects. In the event that displacement occurs, the Town, hereby agrees to comply with all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA"), as amended, as described in 49 CFR Part 24; and with the Housing and Community Development Act of 1974 ("HCD Act of 1974"), as amended, as described in 24 CFR Part 42.

RELOCATION

The Town of Millington will provide relocation assistance as required under the URA to all persons or businesses displaced as a direct result of assisted activities. They shall be provided relocation benefits which, at a minimum, include:

- Relocation assistance planning and advisory services;
- Moving expenses;
- Referral to comparable replacement unit; and
- Replacement housing payments for 42 months.

Low- and moderate-income households displaced by the acquisition or demolition of housing or by the conversion or rehabilitation of low- and moderate-income dwellings to another use are entitled to additional benefits under the requirements of 24 CFR 42.350. These additional benefits include:

- Security deposits and credit checks,
- Referral to comparable replacement unit; and
- Replacement housing payments for 60 months.

Additionally, legal low- and moderate-income tenants are also eligible for:

- Referral to at least one suitable, decent, safe, and sanitary replacement dwelling unit. The Town of Millington shall advise tenants of their rights under the Federal Fair Housing Act, 42 U.S.C. §§ 3601-3619, and of replacement housing opportunities in such a manner that, wherever feasible, they will have a choice between relocation within their neighborhood and other neighborhoods; and
- Each person must be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of utilities for cost of utilities for a replacement dwelling (comparable replacement dwelling or decent, safe, and sanitary replacement dwelling to which the person relocates, whichever costs less) to the "Total Tenant Payment". All or a portion of this assistance may be offered through a certificate or voucher for rental assistance (if available) provided under Section 8 of the United States Housing Act of 1937, 42 U.S.C. § 1437f.

In addition, in consideration of the financial assistance received from the Maryland CDBG Program, particularly when such assistance is used for acquisition, rehabilitation, demolition, or conversion which results in temporary relocation, the Town agrees to assist either the temporarily displaced residential or business tenant or owner occupant during the time they are displaced. Those receiving temporary relocations shall receive at a minimum:

- Interim living costs;
- Relocation assistance planning and advisory services;
- Reasonable moving expenses; and
- Rental Assistance (if moving to more expensive unit).

ONE FOR ONE REPLACEMENT HOUSING

In the event that low- and moderate-income dwelling units are demolished or converted to a use other than as low/ moderate-income housing, the Town of Millington will replace all units that were occupied or were vacant but deemed occupiable as required under Section 104(d) of the HCD Act of 1974, as amended.

All replaced housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Town will make public and submit to the Maryland CDBG Office the following information in writing:

- A. A description of the proposed assisted activity;
- B. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
- C. A time schedule for the commencement and completion of the demolition or conversion;
- D. The general location on a map and approximate number of dwellings units by size (number of bedrooms) that will be provided as replacement dwelling units;
- E. The source of funding and a time schedule for the provision of replacement dwelling units; and
- F. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling for at least ten (10) years from the date of initial occupancy.

GENERAL POLICIES

1. The Town of Millington will take every preventable action to minimize the involuntary displacements of persons or businesses during the implementation of our CDBG funded projects. Examples of actions that may be taken include:
 - Stage rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, working with empty buildings or groups of empty units first, so they can be rehabilitated first, and tenants moved in before rehabilitation of occupied units or buildings is begun.
 - Establish temporary relocation facilities in order to house families whose displacement will be of short duration, so they can move back to their neighborhoods after rehabilitation or new construction.
 - Provide counseling to assist homeowners and renters to understand the range of assistance that may be available to help them in staying in the area being revitalized.

2. The Town of Millington may enter into a written agreement with a sub recipient, or the owner of the assisted property, under which either may pay all or part of the cost of the required relocation assistance.
3. The Town understands the cost of relocation assistance and other benefits shall be paid from CDBG funds or such other funds as may be available from any source including the jurisdiction's general fund.
4. The Town will refer owners and/or tenants to the State CDBG Program if there is a disagreement with the determination that these requirements do not apply to an acquisition or a displacement.
5. The Town will prepare a specific Relocation Plan in the event that funding is requested for a project where it is known that displacement will occur.

This Anti-Displacement Plan is hereby adopted by the Mayor and Council of the Town of Millington on May 31, 2023. It is effective for a 5-year period until May 31, 2028.

Adopted and approved this 31st day of May, 2023.

TOWN OF MILLINGTON

Kevin Hemstock, Mayor

WITNESS TO ALL:

Michelle Holland, Council

Elizabeth Jo Manning,
Town Administrator

Mark Linton, Council

Zita Seals, Council

Wayne Starkey, Council