

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY (DR) RESIDENTIAL BUYOUT HANDBOOK

WISCONSIN DEPARTMENT OF ADMINISTRATION DIVISION OF ENERGY,
HOUSING, AND COMMUNITY RESOURCES



BUREAU OF COMMUNITY DEVELOPMENT
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INTRODUCTION

The Wisconsin Department of Administration (DOA) – Division of Energy, Housing and Community Resources (DEHCR) administers the State Community Development Block Grant Program that provides funding to units of general local government (UGLGs) that do not receive an annual allocation directly from HUD.

The State of Wisconsin Department of Administration's (DOA) Division of Energy, Housing and Community Resources (DEHCR) has developed this handbook as a resource for local government officials and their appointed Community Development Block Grant (CDBG) project managers (i.e., Grant Administrators) to clarify the rules for grant recipients and to help ensure compliance with the state and federal CDBG program requirements.

UGLGs awarded CDBG funding must follow all policies and procedures included in this Handbook and the referenced Handbooks as noted. While this Handbook contains guidance for a combination of state and federal requirements to assist UGLGs in meeting their awarded program obligations, it should be noted that some independent judgment may be required on the part of the UGLG when making certain decisions. DEHCR fully expects recipients of CDBG funding to comply with all applicable local, state and federal requirements, regardless of the information and materials included in this Handbook or any referenced handbook herein.

CDBG-DR PROGRAM OVERVIEW

The purpose of the State of Wisconsin's Community Development Block Grant (CDBG) Disaster Recovery (DR) voluntary property acquisition program (aka buyout) is to assist property owners relocate their homes outside the threat of flooding. To administer this program, Units of local government (UGLG) that are within the declared disaster areas and have documented proof of an impact that occurred as a result of the Presidential declared disaster, are eligible apply to the State.

UGLGs participating in this program must purchase properties at the pre-flood fair market value of the land and structure or the current market value of the land and structure, whichever is higher. Properties purchased under this program must be deed-restricted to remain green space in perpetuity.

In addition to the pre-flood fair market value of the property, eligible owners may also receive an incentive replacement housing award of up to \$31,000. The buyout incentive is only available to households that are purchasing another home to be used as their primary place of residence. Incentives will be awarded and calculated based on the actual need of the LMI household. The UGLG must determine and calculate the level of incentive needed, not to exceed \$31,000, to ensure the household can secure replacement housing that is decent, safe, and sanitary.

All awards are subject to the Robert T. Stafford Act, requiring that all funds used for disaster-related purpose must be deducted as a duplication of benefit.

The United States Department of Housing and Urban Development (HUD) administers the CDBG Program, which is governed by Title I of the Housing and Community Development Act of 1974 as amended (https://www.hud.gov/sites/documents/CDBG_24_CFRPART570.PDF) and federal regulations at 24 CFR 570.480-497 (Subpart I) (<https://www.hudexchange.info/sites/onecpd/assets/File/CDBG-State-National-Objectives-Eligible-Activities-Appendix-B.pdf>).

The Omnibus Budget Reconciliation Act of 1981 (<https://www.congress.gov/bill/97th-congress/house-bill/3982>) authorized states to administer the CDBG programs

ELIGIBLE RECIPIENTS

DEHCR may award CDBG funding to UGLGs to perform eligible activities. The only UGLGs permitted to apply for the State's CDBG-DR funding are the counties and local units of government located in Adams, Columbia, Crawford, Dane, Dodge, Fond du Lac, Green Lake, Iron, Jefferson, Juneau, La Crosse, Marquette, Monroe, Ozaukee, Richland, Sauk, Vernon, and Washington Counties

UGLGs were eligible to apply for CDBG-DR funding by submitting an application. Applicants were competitively scored as outlined in the CDBG-DR NOFA as published.

PROPERTY ELIGIBILITY REQUIREMENTS

To be considered an eligible property for buyout, the buyout property must satisfy one or more of the following requirements:

- The property is located in a flood plain, or
- The property is located outside of the flood plain, and satisfies one of the following requirements:
 - The property is substantially damaged (51% or more of the pre-flood fair market value of the structure is damaged), or
 - The property is considered a health/safety risk.

Eligible property types are:

- Single family residence that is the primary residence of the owner-occupied household.

ADMINISTRATIVE REQUIREMENTS

An important part of any grant is administration. Grant recipients are required to prepare, maintain and submit to the Division of Energy, Housing and Community Resources (DEHCR) all records required to document compliance with the Community Development Block Grant (CDBG) program. Detailed information on Administrative requirements including record keeping and monitoring can be found in Chapter 2 of the BCD CDBG Implementation Handbook at:

<https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx>

PROCUREMENT, CONTRACTING AND CONFLICT OF INTEREST PROVISION

Units of General Local Government (UGLGs) must comply with all applicable federal, state and local procurement and contracting regulations and policies for the Community Development Block Grant (CDBG) project. Conflict of interest provisions within the Code of Federal Regulations must be addressed as part of procurement and contracting processes.

In accordance with 24 CFR 570.611, no member of the governing body and no official, employee or agent, nor any other person (covered persons), either for themselves or those with whom they have business or immediate family ties, who exercises policy or decision-making responsibilities will financially benefit from this program. For more information on these requirements please visit the link to Chapter 3 of the Bureau of Community Development (BCD) Implementation Handbook found here:

https://doa.wi.gov/DECHR/2020%20Ch%203%20Procurement-Contracting_FINAL.pdf

DUPLICATION OF BENEFITS

This program is required to conduct a duplication of benefits (DOB) check for each eligible property (as provided by the Robert T. Stafford Act) prior to providing the funding necessary to acquire the property. Sources of duplication of benefits compensation include sources of funding assistance provided for structural damage and loss related to the disaster. The following sources are deducted from the award amount for the property:

- FEMA payments for structural damage
- USDA loans and/or SBA loans
- National Flood Insurance Program (NFIP) Insurance Payments
- Private insurance: All private insurance settlement amounts for loss to structures are considered in the award calculation. Private insurance payments for contents or other expenses are not considered.

All persons and households, also known as the applicant, receiving assistance under the CDBG-DR Program are required to report any benefits received for the same services for which they are applying under this program. The applicant must complete and sign a Duplication of Benefits Statement. Should a duplication of benefits occur, the Grantee will be required to collect the excess amount and return those funds to DOA.

ENVIRONMENTAL REVIEW

All Community Development Block Grant (CDBG) projects must meet the requirements of federal, state and local environmental regulations. At the federal level, all CDBG projects must meet the requirements of the National Environmental Policy Act of 1969 (NEPA).

For information and the requirements of the Environmental Review Process, please visit the link to Chapter 4 of the Bureau of Community Development (BCD) CDBG Implementation Handbook found here:

https://doa.wi.gov/DECHR/Ch%204%20Environmental%20Review_FINAL%20v2-22-21.pdf

Required fillable forms for the Environmental Review may be found at:

<https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx>

LABOR STANDARDS (DAVIS BACON) REQUIREMENTS

The Davis-Bacon Act (40 USC, Chapter 3, Section 276a-276a-5; and 29 CFR Parts 1, 3, 5, 6 and 7) is triggered when construction work over \$2,000 is financed in whole or in part with CDBG funds. It requires that workers receive no less than the prevailing wages being paid for similar work in the same area. Davis-Bacon does not apply to the rehabilitation of residential structures containing less than eight units or force account labor (construction carried out by employees of the grantee).

For information Labor Standards requirements, please visit the following link to Chapter 7 of the Bureau of Community Development (BCD) CDBG Implementation Handbook found here:

https://doa.wi.gov/DECHR/2020%20Ch%207%20Labor%20Standards_FINAL.pdf

Required fillable forms for Davis Bacon may be found at:

<https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx>

REPORTING REQUIREMENTS

CDBG programs must report certain accomplishments and information quarterly, semi-annually or annually. The Grant Agreement will designate document submission due dates and activity completion benchmarks for the project. UGLs are required to follow the Grant Agreement Time Table.

Specific information for these reports, including the required forms can be found in Chapter 6 and Chapter 9 of the BCD CDBG Implementation Handbook at:

<https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx>

Equal Opportunity

Civil rights laws and related laws and regulations are designed to protect individuals from discrimination on the basis of race, national origin, religion, color, sex, age, disability, sexual orientation and familial status. The laws listed below apply to UGLGs, contractors and sub-contractors. The Department of Labor (DOL) provides employers, workers and others with clear and easy-to-access information and assistance on how to comply with Executive Order 11246. These reports are due semi-annually.

Reporting for Equal Opportunity compliance includes:

- Semi-Annual MBE/WBE Reports; and
- Fair Housing Actions and documentation

Section 3

Section 3 is a provision of HUD Act of 1968 which helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. "To the greatest extent feasible," UGLGs must guide the employment opportunities of the CDBG project towards low- and moderate income (LMI) persons and Section 3 businesses in the community. This report is due semi-annually.

Labor Standards

This report is due semi-annually.

Beneficiary Data:

DEHCR is required to maintain records documenting the demographic information pertaining to CDBG project beneficiaries, which may include (but is not necessarily limited to): race, ethnicity, household size and number of persons served. Grantees will be required to compile all of the individual data collected and complete the CDBG Project Client Income Certification Report found in the Forms Section at the end of this handbook. Each activity undertaken by the Grantee will have its own report.

Single Audit

In addition to semi-annual reports, the UGLG must establish whether the Single Audit requirements listed in Uniform Guidance 2 CFR 200 apply. The UGLG must submit a Single Audit Statement letter (Attachments 9-I / Attachment 9-J) to DEHCR by January 15th of each calendar year for the duration of the Grant Agreement.

FINANCIAL MANAGEMENT

Accurate financial record-keeping, including timely deposit, payment and accounting of Community Development Block Grant (CDBG) funds is crucial to the successful management of a CDBG funded project.

Federal regulations governing the CDBG program require Grantees to establish adequate recordkeeping. A key provision requires records pertaining to authorizations, obligations, unobligated balances, assets, liabilities, outlays and income be maintained. In the event of conflict between the language specified in the contract and

this handbook or other supporting documents, the provisions in the contract regarding financial records shall take precedence.

Detailed information on financial management including how to request CDBG funds can be found in Chapter 8 of the BCD CDBG Implementation Handbook found here:

<https://doa.wi.gov/DECHR/Part10%20Chapter%208%20Financial%20Management%20FINAL.pdf>

NOTE: The DR program does not have a local match requirement.

PROJECT COMPLETION

Final project completion occurs when all funds have been expensed and all reporting, monitoring and completion submission responsibilities related to all projects have been completed by the Unit of General Local Government (UGLG) and approved by DEHCR.

Detailed information on the requirements of project completion including the required forms can be found in Chapter 10 of the BCD CDBG Implementation Handbook found here:

<https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx>

THE BUY OUT PROCESS

DETERMINING APPLICANT ELIGIBILITY

Grantees will be required to have applicants fill out a CDBG-DR application. Information from all members currently residing in the household is required. Items that must be included in the application are as follows:

- Applicant and household information including name, birthdate, age, social security number, ethnicity and race.
- Applicant and household income and asset information.
- Year the unit was constructed.
- Ask if the applicant is a U.S. Citizen or a Qualified Alien.
- Duplication of Benefits Statement and a signed agreement that should a duplication of benefits occur the applicant will required to repay the duplicated amount to the Grantee. (Sample provided at the end of this handbook).
- Release of Information statement signed by all adult household members. (Sample provided at the end of this handbook).
- Conflict of Interest Provision.
- Verification of property ownership.

DETERMINING INCOME

In order to receive CDBG-DR assistance, households must have documented incomes at or below 80% of the County Median Income (CMI) for the geographic area, adjusted for household size, and determined annually by HUD at the time of application. The annual income definition found at 24 CFR Part 5 is used by a variety of Federal programs and must be used to determine eligibility for all Wisconsin CDBG Programs.

The income limits may be found at <https://www.huduser.gov/portal/datasets/il.html> .

The guidelines for determining and calculating household income can be found in the 2019 CDBG Housing Manual, on pages 19-25 located in the link below. These guidelines must be used in determining the household income eligibility.

<https://doa.wi.gov/DECHR/2019%20CDBG%20HOUSING%20IMPLEMENTATION%20MANUAL%20-%202019-2-20%20Update%20posted.pdf>

Once the applicant has been determined income eligible the UGLG may begin the process of offering to purchase the property under a voluntary transaction.

DETERMINING THE AWARD

An example of how to calculate an award is provided at the end of this handbook. You must use this form to determine the award amount.

Homeowners participating in the buyout are eligible for up to the maximum Replacement Housing Assistance allowed. This amount is \$31,000.

This policy ensures that all income qualified buyout participants are eligible for up to \$31,000 in Replacement Housing Allowance plus the pre-flood fair market value (FMV) of their buyout home. In the event the current market value of the property is more than the pre-flood value; the buyout amount will be the current market value.

To qualify for a replacement housing award, all of the following requirements must be met:

- The homeowner must purchase a replacement home that is more expensive than the buyout home, but comparable in size (square footage),
- The replacement home must be located within the jurisdiction of the Disaster Recovery Grantee, and
- The replacement home must be considered decent, safe, and sanitary.

AWARD CALCULATION

Below is an example of an award calculation. In this case, the pre-flood value of the property is \$125,000. All other funds received for repairs were used for repairs.

The CDBG-DR buyout amount is pre-flood value less any offset DOB (sample below shows \$30,000 received and spent on repairs), which in this case is:

$$\$125,000 - \$0.00 = \$125,000$$

If a review of the rehab invoices showed that they only spent \$20,000 on the house for repairs then the DOB offset would be \$10,000 and the buyout price would be \$115,000.

In the example below, the buyer is also eligible for a \$31,000 incentive to help them acquire another home. Not all homeowners will qualify for the Housing Assistance Payment. Please see the guidance under “Determining the Award,” in the previous section of handbook.

Example Award Calculation	
Total Pre-Storm Value Prior to DOB	\$125,000
All Funds Rec'd for Assistance (DOB)	\$30,000
Total DOB Funds Received (for repair)	\$30,000
Funds Expended Counting as Non-DOB (diff purpose - repair)	\$30,000
Total Non-DOB	\$30,000
DOB Funds Received (Total DOB funds minus non-DOB, plus Improvement DOB Amount)*	\$0
Pre-Storm Appraised Value	\$125,000
Less DOB	\$0
Equals Remaining Pre-storm Value	\$125,000
Plus, Replacement Housing Assistance Payment	\$31,000
Offer to Homeowner	\$156,,000

NOTE: Funds used for repair will reduce the duplicating benefit and therefore not count against the Buyout award amount. If the homeowner received funds that were earmarked for repair but not used for the repair, this amount must be considered a duplication of benefit and subtracted from the offer.

ACQUISITION REQUIREMENTS

The first step in undertaking a CDBG, HOME or other federally-funded project is to identify property for acquisition. As soon as feasible, the UGLG must notify the owner in writing of the UGLG's interest in acquiring the real property and the basic protections provided to the owner by law. The UGLG must make every reasonable effort to acquire the real property expeditiously by negotiation.

Acquisitions can be voluntary or involuntary. The URA requirements for voluntary and involuntary acquisitions differ significantly. While there are protections for property owners in both circumstances, only involuntary acquisitions trigger the full acquisition requirements of the URA [29 CFR 24, Subpart B]. Under the URA, an acquisition is considered to be involuntary when an UGLG acquires property under the threat or use of eminent domain. Eminent domain (also known as condemnation) is the power of the government to take private property for public purposes with payment of just compensation.

Because of the voluntary nature of acquisition, property owners are not eligible for assistance under the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act. However, displaced tenants (occupants present at the date of the disaster and/or "initiation of negotiations") are entitled to assistance under the URA. Proper steps must be followed to comply with URA.

HUD provides several document templates in the Appendices of HUD's *Tenant Assistance, Relocation and Real Property Acquisition Handbook (1378.0)* that may be utilized in acquisition and relocation process.

https://www.hud.gov/program_offices/administration/hudclips/handbooks/cpd/13780

VOLUNTARY ACQUISITIONS

When a voluntary sale occurs, there can be no threat of eminent domain or condemnation. The sale price may be negotiated, but the property owner must be informed of certain facts about the acquisition including the fair market value of the real property and the inapplicability of relocation benefits and assistance. Tenants are still eligible for relocation benefits in a voluntary acquisition. An UGLG may offer relocation assistance to an owner as part of negotiations for just compensation in a voluntary acquisition, but federal funds may not be used.

The URA recognizes three general types of purchases which can be voluntary:

1. Purchases where the grantee has the power of eminent domain, but agrees that it will not condemn the property if an agreeable purchase price cannot be reached;
2. Purchases where the grantee does not have the power of eminent domain (*e.g.*, non-profit UGLGs or a private individual); and
3. Purchases of government property (federal, state, local) where the grantee does not have the power of eminent domain. For example, if a non-profit offers to purchase a piece of property from the local redevelopment UGLG and with state CDBG funds.

Under the URA, an acquisition is voluntary for UGLGs with eminent domain authority if:

1. No specific site is needed and any of several properties could be acquired for project purposes;
2. The property is not part of an intended, planned or designated project area where other properties will be acquired within specific time limits;
3. The UGLG informs the owner in writing of the property's market value; and

4. The UGLG informs the owner in writing that the property will not be acquired, through condemnation, if negotiations do not reach an amicable agreement.

Refer to the *Notice of Intent for Voluntary Acquisition* template located at the end of this handbook for guidance on the required content for the written notice to the property owner for a voluntary acquisition.

Steps for Voluntary Acquisition

When a voluntary acquisition occurs, there can be no threat of eminent domain or condemnation.

The UGLG must complete the following steps:

1. Order an appraisal* of the property to determine the pre-flood value and the current fair market value;
2. Complete the Award Calculation to determine the Amount to be offered (see example at the end of this handbook);
3. If the current fair market value is higher than the pre-flood value; the current market value must be the buyout offer made to the applicant;
4. Provide Notice/Letter of Intent to Purchase to the property owner(s);
5. Provide Acquisition and Relocation Rights brochures to tenants, if applicable;
6. Initiate and proceed with negotiations;
7. Make official determination to acquire and official approval of terms of acquisition/purchase (by UGLG governing body);
8. Execute Purchase Agreement and Title Transfer; and
9. Maintain Records in Acquisition File for the CDBG Project.

*Additional information on determining the FMV of a property, including criteria for appraisals, can be found at 49 CFR Part 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.

The UGLG must take ownership of the property free and clear. All liens and judgments against the acquired property must be cleared at the time of sale.

DISPOSTION OF THE PROPERTY (DEMOLITION)

All structures acquired under the CDBG-DR Program must be demolished and the land must remain as green space in perpetuity. A deed restriction recorded with the County's Register of Deeds is required.

UGLG's are required to follow all federal/state/local building codes and regulations including the Environmental Review process discussed earlier in this handbook, when demolishing the structure and preparing the property as green space.

SAMPLE FORMS

SAMPLE

COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY PROGRAM

Documentation of Other Assistance Received

1. FEMA Assistance	
a. Have you received FEMA assistance?	Yes No
b. Have you applied for FEMA assistance?	Yes No
c. FEMA registration number and structural damage award amount?	# _____ \$ _____
2. Homeowner flood insurance (NFIP) payments received	\$ _____
3. Increased Cost of Compliance (ICC) payment received	\$ _____
4. SBA loan application number and approved/received amounts	# _____ \$ _____
5. Homeowner’s insurance received	\$ _____
6. Amount of assistance received from any other federal, state, or local source including both public and private to repair the home (in kind or actual payment)	\$ _____
7. State of Wisconsin Hazard Mitigation Program (HMGP)	\$ _____

APPLICANT CERTIFICATION: Certify that all the information in the certification above is true, to the best of your knowledge. By signing this certification to verify the information contained, the applicant authorizes the state or any of its duly authorized representatives herein.

I/We understand the information provided above is collected to determine if I/we are eligible to receive assistance under the Community Development Block Grant Disaster Recovery Program for the disaster.
 I/We hereby certify that all the information provided herein is true and correct.
 I/We understand that providing false statements or information is grounds for termination of housing assistance and is punishable under federal law.
 I/We authorize the above-referenced Subrecipient and any of its duly authorized representatives to verify all information provided in this application.
 I/We understand that additional information will likely be required to move forward with the CDBG-DR program.

Signature of Applicant:	Date
Signature of Co-Applicant:	Date

Warning:
 Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

Instructions

Documentation of Other Assistance Received

Assistance provided under the State of Wisconsin's Community Development Block Grant – Disaster Recovery (CDBG-DR) Program may not exceed a household's unmet needs. All CDBG-DR applicants are required list all other sources of financial or housing assistance received (local, state, federal, and private sources) from the 2018 disaster event. Each applicant must complete the Documentation of Other Assistance Received form.

What follows is an explanation of the questions on page 1 of this form.

1. Please indicate the registration number and structural damage award amount as found on the award letter you received from FEMA following the 2018 Presidentially Declared Disaster (DR 4402). If you have applied for FEMA assistance but were denied, please provide the award determination letter.
2. If you had flood insurance through the National Flood Insurance Program (NFIP), please indicate the amount of payment you received from the 2018 disaster event.
3. The Increased Cost of Compliance (ICC) fund is a reserve of excess funds available through the NFIP and may have been used to compensate you for your loss. Please indicate any ICC payment amounts you may have received.
4. Did you receive a loan from the Small Business Association (SBA) following the 2018 disaster event? Please indicate the loan # and amount of loan you received.
5. Please provide documentation of any home insurance claims filed and payments received for damages incurred during the 2018 disaster event. This information typically comes with a written settlement statement that accompanies your payment.
6. Examples of other assistance include federal, state, or local public and private sources not already listed and/or local flood recovery groups or social organizations (Salvation Army, Red Cross, etc.) that raised money for the purpose of assisting homeowners and tenants that were affected by the 2018 disaster events. Only funds that were designated for structural repairs of the home need be reported. Funds designated to replace personal property (clothing, furniture, kitchen appliances) need not be reported.
7. Have you received any storm related assistance (floodplain buyout) from the State of Wisconsin (applicants may be a County, City, Village of Township) Hazard Mitigation Program for your property?

Agreement to Return Funds

I understand that I must repay to _____ any assistance received , from any other source, for the same purpose for which the CDBG-DR funds were provided.

SAMPLE

GENERAL RELEASE OF INFORMATION

COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVER PROGRAM (GRANTEE NAME)

I hereby authorize persons, organizations, or employers, financial institutions, federal, state or local agencies, governmental entities mortgage companies, landlords, property owners, utility companies or establishments to furnish information about me to a representative of **(GRANTEE NAME AND PROGRAM ADMINISTRATOR)** Community Development Block Grant (CDBG) DR Program of **(GRANTEE NAME)**.

I hereby grant permission of the release of information that may be relevant to my application.

This information will be for the confidential use of the **(GRANTEE NAME)** in determining my/our eligibility for a mortgage loan or to confirm information I/we have supplied. Please complete the attached verification request.

A photo or fax copy of this document may be deemed to be the equivalent of the original and may be used as a duplicate original. The original signed release of information form will be kept on record with the Grantee. I understand that this release of information is valid until it is revoked in writing.

APPLICANT STATEMENT: I hereby certify under penalty of perjury that the information on this form is accurate and complete. I understand that this self-certification may be subject to further verification by the agency providing services, the **(GRANTEE NAME)**, the State of Wisconsin and the U.S. Department of Housing & Urban Development. I, therefore, authorize such verification, and I will provide supporting documents, if necessary.

Last, First, M.I.

Last, First, M.I.

Social Security #

Social Security #

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

Signature

Date

Signature

Date

NOTICE OF INTENT FOR VOLUNTARY ACQUISITION (TEMPLATE)

(ON UNIT OF GENERAL LOCAL GOVERNMENT (UGLG) LETTERHEAD)

[Date]

[Property Owner Name]

[Property Owner Address]

[Property Owner City, State, Zip]

RE: Property at [Property Street Address, City], WI; Parcel #[Parcel #]

Dear [Property Owner Name]:

The [UGLG Name] of [County Name] County, Wisconsin is interested in acquiring property you own at [Street Address] for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the program. Please be advised that the [UGLG Name] possesses eminent domain authority to acquire property, however, in the event you are not interested in selling your property, or if we cannot reach an amicable agreement for the purchase of your property, we will not pursue its acquisition under eminent domain.

Your property is not a necessary part of the proposed project and is not part of an intended, planned, or designated project area where substantially all of the property within the area is to be acquired.

We believe the pre-flood value of your property based on [Enter Basis or Source of Determination] is \$[Amount] and the current market value to be \$[Amount]. We are prepared to offer you \$[Amount] to purchase your property. Please contact us at your convenience if you are interested in selling your property.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance. Any tenants living at or using the property may however be eligible for relocation assistance.

Under the URA and Wisconsin law, the [UGLG Type, e.g., Town, Village, City, County] must give notice to property owners of certain rights through providing the *[Enter Name of Brochure(s) Attached/Enclosed, including the Wisconsin State, "Rights of Landowners Under Eminent Domain Law" Brochure (required); and HUD Federal "When a Public Agency Acquires Your Property" booklet/brochure if provided (optional but not required)]* enclosed.

If you have any questions about this notice or the proposed project, please contact: [Contact Name], [Contact Title], of [Contact Entity/Company/Firm Name] at [Contact Mailing Address], or phone number [Contact Telephone #], or [Contact Email Address].

Sincerely,

(Add CEO Signature)

[UGLG Chief Elected Official (CEO) Name]

[UGLG CEO Title]

Enclosure: [Enter Name of Applicable/Enclosed *Rights to Landowners Under Wisconsin Eminent Domain Law Brochure* – Access Wisconsin State Brochures at: <https://doa.wi.gov/Pages/AboutDOA/RelocationAssistance.aspx>.]

NOTES TO UGLG IN USING THIS FORM:

1. *The CDBG project file must include the method in which this notice was delivered (e.g., certified mail, return receipt requested) and the date of delivery.*
2. *Tenant-occupants displaced as a result of a voluntary acquisition may be entitled to URA relocation assistance and must be so informed per [49 CFR 24.2\(a\)\(15\)\(iv\)](#) –Initiations of negotiations, and [49 CFR 24 Appendix A -24.2\(a\)\(15\)\(iv\)](#).*
3. *This letter template may only be used if all of the requirements of [49 CFR 24.101\(b\)\(1\)\(i\)-\(iv\)](#) are met.*
4. *The Template Title Heading and Page Footer are to be deleted when customizing the template for the UGLG's use.*