

ATTACHMENT 5-I: RELOCATION COMPENSATION RULES AND LIMITS

Overview

Wisconsin UGLGs/buyers are required to follow both the State and Federal relocation rules when implementing a federally funded project. To align Federal and State benefit limit provisions, 2015 Wisconsin Act 55 was passed. In 2015 [Wisconsin Act 55](#), changes were made to the state eminent domain statute, [Wis. Stats. Ch. 32](#).

The Federal and Wisconsin equivalent relocation assistance benefits are summarized in the table below, which reflects the changes resulting from 2015 Wisconsin Act 55. Federal updates were issued with the URA New Rule, effective 6/3/2024 ([49 CFR 24.11](#)).

Replacement Housing Payments for Displaced Homeowners and Tenants

Payment Type or Occupancy Type:	Federal Requirement:	Wisconsin State Requirement:
Replacement Housing Payment for Homeowner:	\$41,200 for Homeowners	\$25,000 (owner) or up to \$31,000 when federal funds are involved.
Replacement Housing Payment for Tenant:	\$9,570 for Residential Tenants.	\$8,000 (tenant) – since the state provision is higher, Wisconsin UGLGs/buyers generally would provide the state relocation benefit.
Occupancy Requirement for Homeowner:	90 days prior to Initiation of Negotiations (ION)	180 days (not impacted by 2015 Wisconsin Act 55) <i>Note: 90-day Homeowner can qualify for Tenant replacement payment.</i>
Occupancy Requirement for Tenant	90 days	90 days

NOTE: If the Replacement Housing Payment caps and Occupancy Requirement time limits in the previous table are not sufficient based on the required calculations, the payment caps are to be exceeded (reference: Housing of Last Resort: [49 CFR 24.404](#); also [49 CFR 24.11](#)).

Non-residential Moving Expense Payments (displaced businesses, farms, non-profits)

Payment Type:	Federal Requirement:	Wisconsin State Requirement:
Fixed Move Payment:	\$53,200	\$20,000 (owner and tenant) or up to \$40,000 when federal funds are involved
Re-establishment Expense Payment:	\$33,200	\$25,000 (owner)

Self-Move Fixed Payment Schedules

Federal/URA

[Wisconsin Department of Transportation Real Estate Program Manual – Chapter 5: Relocation](#) (Revision 12/2018)

More information regarding the federal relocation rules and limits are in HUD's [Moving Ahead for Progress in the 21st Century \(MAP-21\)](#) and the [HUD acquisition and relocation booklet/brochure publications](#).

For State of Wisconsin relocation requirements and limits, refer to the information and brochure publications available on the [State of Wisconsin Department of Administration Relocation Assistance website](#).

State

DOA Division of Legal Services [Relocation Assistance Wisconsin Relocation Rights Residential Brochure](#) (November 2021)