Wisconsin Relocation Rights

This pamphlet is published by the Wisconsin Department of Administration in cooperation with the Attorney General pursuant to Wis. Stat. § 32.26(6). It is not to be construed as legal advice. A displacing agency must make this pamphlet available to a displaced person before initiation of negotiations for acquisition of property for a public project.

Relocation Assistance
Division of Legal Services
Department of Administration
101 E. Wilson Street
Madison, WI 53703
Phone: (608) 266-2887
Email: TracyM.Smith@wisconsin.gov
www.doa.wi.gov

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UNIFORM RELOCATION ACT
(49 C.F.R. pt. 24)
The federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) is applicable when a displacing agency undertakes a project that receives federal financial assistance. NOTE: This brochure focuses on state relocation rules. Payments and services may be different under the URA. The displacing agency should advise a displaced person of any eligibility for payments and services under the URA.

INTRODUCTION
When an agency undertakes a publicly-funded improvement project, it may be necessary to move people from their homes. If a public project displaces you, the displacing agency must provide certain benefits and services to ensure that you experience minimum loss and inconvenience. This brochure aims to help you understand your relocation rights, which are in addition to the acquisition payments that would normally be made for the purchase of real property for public use, if you are displaced from your home.

NOTICE
An agency must provide property owners and any potentially displaced persons with relocation information prior to displacement.

If a public hearing is held for a project which may involve property acquisition and displacement of a person, the following must be provided: (1) general information about relocation services and payments; (2) a statement that the agency shall prepare a relocation plan for approval by DOA prior to acquisition and that persons potentially impacted by the project will be contacted to obtain information to prepare the plan; (3) identification of project boundaries and an estimate of the number of residential and nonresidential properties to be acquired; (4) a statement that a person who moves prematurely may jeopardize relocation eligibility and that sufficient time to relocate will be provided; and (5) the name, address and telephone number of an agency representative to contact with questions.

When an agency first contacts a rental property owner to obtain information necessary for the preparation of a relocation plan, it must provide the following information: (1) a description of the nature of the proposed project; (2) notice to the owner that the tenants are being contacted to obtain information to prepare the plan; (3) caution to the owner against eviction of tenants before acquisition; (4) explanation that the tenants are being advised not to move prematurely; and (5) notice that in the event the tenants move before acquisition, an owner may qualify for a rent loss payment.

The agency must provide a tenant or owner-occupant of a property the following information: (1) a statement describing the nature of a proposed project; (2) a warning against a premature move which may jeopardize relocation entitlements; (3) the date acquisition will begin; (4) a summary of relocation assistance and benefits; and (5) the contact information of an agency representative to contact with questions.

RELOCATION PLAN
A displacing agency must prepare, submit and have DOA approve a relocation plan before initiating negotiations for property acquisition. The plan aims to ensure that an agency will provide adequate relocation payments and services, and to determine whether displaced persons can be sufficiently relocated.
If you rent for at least 90 days prior to the initiation of negotiations and rent a replacement property, you may be eligible for a payment up to $8,000.

Fair Housing

Advisory Services

Temporary Displacement

housing discrimination against members of a protected class is illegal. The displacing agency must provide sufficient relocation assistance to displaced persons. Temporarily displaced persons are eligible for

increased rent or utility costs.

RELOCATION PAYMENTS

You may be reimbursed for actual, reasonable expenses in moving personal property. To be reimbursed, you must incur the expense and submit a claim supported by receipts. Eligible expenses include: moving persons and personal property to a new location. You may choose payment based on one of the following: (1) actual reasonable cost; or (2) fixed payment schedule. A fixed payment is generally based on the number of rooms in the acquired dwelling. One or more additional rooms will be paid for at a rate of $100 for each additional room up to a maximum of $1,000.

ACTUAL REASONABLE COST

You may not receive a replacement property, you may be eligible for down payment assistance up to $8,000. This helps offset the difference between the property acquisition price and the cost of purchasing or renting a comparable replacement property, but may not cover the entire cost. You also may be eligible for an increased mortgage interest payment and incidental expenses incurred in purchasing a replacement property.

The displacing agency will provide you with an explanation and the amount of the benefit. A person will not be required to provide a replacement if the benefit is not greater than the cost of acquiring and furnishing a comparable replacement property.

The displacing agency should provide you with claim forms. A relocation claim should be filed as soon as possible after a displaced person moves and is provided to low income and minority homeowners to assist them in finding suitable replacement housing. You are eligible for relocation assistance if you were displaced in violation of Federal or Wisconsin law.

The property acquired for the displaced person is eligible for whichever amount is greater. A person will not be required to provide a replacement if the benefit is not greater than the cost of acquiring and furnishing a comparable replacement property.

NOTICE: If both federal and state/local law provide for different benefit amounts, the displacing agency shall have rent-free use of the property for 30 days after those 30 days, rent charged for use of the property between the date of acquisition and the date of displacement may not exceed the economic rent or the rent paid to the former owner, whichever is less.

NOTE: If you are displaced and not satisfied with your relocation assistance or benefits you may: (1) file an appeal with the displacing agency; (2) file an appeal under Wis. Stat. § 32.20.

RELOCATION CLAIM

NOTE: If you are notified that you will be moving yourself and personal property to a new location, you may be eligible for a "differential" payment up to $8,000. This helps offset the difference between the property acquisition price and the cost of purchasing or renting a comparable replacement property, but may not cover the entire cost. You also may be eligible for an increased mortgage interest payment and incidental expenses incurred in purchasing a replacement property.

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