



May 29, 2015

The **2015 Relocation Assistance Guidelines** incorporated policy changes pertaining to tenants who were to be temporarily relocated such that unit renovation could take place. The new policy required that such tenants be given a minimum of 120 days advance notification of the date by which the tenant would be required to move.

We have received a great deal of feedback regarding this change in policy, and while the change was well intended, it has become clear that it is unworkable from a practical standpoint.

We have determined that this new policy requirement imposes notification standards for temporarily relocated tenants which exceed statutory requirements, and causes an undue burden on property owners whose goal is to improve property conditions. In making this determination we are relying on the following statute:

§ 55-248.18.B Upon the sole determination by the landlord of the existence of a nonemergency property condition in the dwelling unit that requires the tenant to temporarily vacate the dwelling unit in order for the landlord to properly remedy such property condition, the landlord may, upon at least 30 days' written notice to the tenant, require the tenant to temporarily vacate the dwelling unit for a period not to exceed 30 days to a comparable dwelling unit, as selected by the landlord, and at no expense or cost to the tenant. For purposes of this subsection, "nonemergency property condition" means (i) a condition in the dwelling unit that, in the determination of the landlord, is necessary for the landlord to remedy in order for the landlord to be in compliance with § 55-248.13; (ii) the condition does not need to be remedied within a 24-hour period, with any condition that needs to be remedied within 24 hours being defined as an "emergency condition"; and (iii) the condition can only be effectively remedied by the temporary relocation of the tenant pursuant to the provisions of this subsection."

Accordingly, VHDA is amending its **2015 Relocation Assistance Guidelines** to impose a minimum of 30 days' advance notification requirements referenced in § 55-248.18.B described above for temporary relocation of tenants. The 120 days' notice requirement continues to apply where a tenancy will be terminated due to rehabilitation, in accordance with § 55-222.

You may rely on this letter in developing relocation plans for specific projects which provide for the 30-day notification where appropriate. VHDA has posted the amended guidelines on our website.