

Relocation Protocol and Development and How to Get There

The Role of a Local Health Department



Chapter 368a – Department of Public Health – Public Health and Well-Being



Principle CGS Related to Lead Poisoning Prevention



- ▶ Section 19a-111. Investigation. Preventive measures. Relocation of families. Reports. Regulations.
 - ▶ “Upon receipt of each report of confirmed venous blood lead level equal to or greater than twenty micrograms per deciliter of blood, the local director of health shall make or cause to be made an epidemiological investigation of the source of the lead causing the increased lead level or abnormal body burden and shall order action to be taken by the appropriate person or persons responsible for the condition or conditions which brought about such lead poisoning as may be necessary to prevent further exposure of persons to such poisoning.”

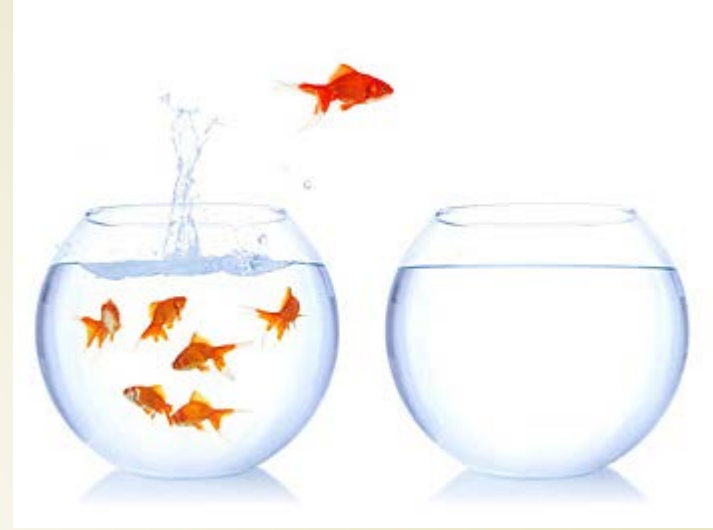
Section 19a-111 continued....

- ▶ In the case of any residential unit where such action will not result in removal of the hazard within a reasonable time, the local director of health shall utilize such community resources as are available to effect relocation of any family occupying such unit.



Relocation Acts

- There are two Acts:
 - Federal Uniform Relocation Act
 - CT Uniform Relocation Assistance Act



Relocation Acts



- ▶ Both apply in Connecticut
- ▶ We encourage you to work with your mayor, first selectman and legal counsel to become more familiar with the requirements of the Acts
- ▶ Our focus – CT General Statutes and Regulations
 - ▶ CT Uniform Relocation Assistance Act
- ▶ Disclosure: **WE ARE NOT ATTORNEYS**

Chapter 135, Sec. 8-266

CT Uniform Relocation Assistance Act (URAA)



What triggers the URAA?

- Occupant displacement due to:
 - Code enforcement
 - Acquisition
 - Rehabilitation





Obligations of State Agencies

- Compensation
- Temporary relocation
- Permanent relocation



What is a Displaced Person? Sec. 8-267(3)

- “Displaced person” means
 - (a) any person who..... moves from real property, or moved his personal property, as a result.....
 - (b) any person who so moves as a direct result of code enforcement activities or a program of rehabilitation of buildings pursuant to such governmental program or under such government supervision.



Sec. 8-268 Payment for Displacement Expenses

- ▶ (a) Whenever a program or project undertaken by a state agency or under the supervision of a state agency will result in displacement of any person.... state agency shall make payment to any displaced person...



Advisory Assistance



- ▶ State agency must provide relocation advisory assistance when:
 - ▶ Code enforcement causes relocation
- ▶ Purpose:
 - ▶ To assure that, within a reasonable period of time, prior to displacement, a code compliant dwelling is available for displaced persons

Temporary Relocation

- ▶ The URAA may not be triggered in circumstances where:
 - ▶ repairs remedy the cited violation
 - ▶ work is completed promptly
 - ▶ tenants can return to their units



Chapter 833a – Public Enforcement of
Health and Safety Standards in
Tenement and Boarding Houses and in
Rented Dwellings



Sec. 47a-50(3) Definitions



- A “dwelling unit” or an “apartment” means any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is occupied as a home or residence of one or more person

Sec. 47a-52 Abatement of conditions in rented dwelling than tenement house constituting danger to life or health

- (e) When the department of health certifies that any such rented dwelling or premises are unfit for human habitation, by reason of defects which may cause sickness or endanger the health of the occupants, the department may issue an order requiring the rented dwelling, premises of any portion therefore to be vacated.....



Chapter 368e Municipal Health Authorities





Sec. 19a-206 Duties of municipal directors of health. Nuisances and source of filth. Injunctions. Civil penalties. Authority of town direction within city of borough. Availability of relocation assistance.

Sec. 19a-206(f)

- ▶ If the order of a district department of health, pursuant to section 19a-241, causes the displacement of any occupant of a resident dwelling unit, the municipality in which such dwelling unit is located shall be responsible for any relocation assistance afforded to such occupant pursuant to chapter 135.





What Steps Can I Take?





Relocation Protocol




- ▶ DPH encourages each local health department to speak with their town officials and legal counsel
- ▶ Develop a protocol which you will review with your town officials and legal counsel
 - ▶ Suggestion: If you are looking to see if there are any existing protocols, reach out to your fire or building officials!!



Sample Protocol

**just an
Example**



This Relocation Protocol is to be used by ABC Local Health Department pursuant to the general provisions of the Uniform Relocation Assistance Act (URAA), Connecticut General Statutes Section 8-266 et seq., and URAA regulation, Connecticut Agencies Regulations Section 8-273-1 through 8-273-41.

Connecticut General Statutes Section 8-266 states that the purpose of the URAA “is to establish a uniform policy for the fair and equitable treatment of persons displaced by ...code enforcement activities...”

In furtherance of that stated purpose, ABC Local Health Department will follow this protocol for the provision of URAA benefits and assistance to individuals and families displaced by the ABC Local Health Department’s code enforcement activities.

1. ABC Local Health Department staff will notify DOH of code violation and reason for dwelling being unfit for occupancy and/or an immediate threat to health and safety of occupant.
2. DOH or designee will contact Chief Elected Official (CEO) or his/her assistant in town where violation exists.
3. ABC Local Health Department staff will work with designated town officials (e.g. building officials, fire department) to determine whether occupant has been displaced within meaning of URAA.
4. Town Officials will notify owner and if owner fails to temporarily relocate occupants, the town CEO or designee will issue a Notice of Displacement.
5. The Occupant’s town will be responsible for relocation benefits for occupants as per URAA, and URAA Regulations.



Questions



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