

**316.6 Replacement housing for tenants and certain others.**

In addition to amounts otherwise authorized by [this chapter](#), the displacing agency shall make a payment to or for a displaced person, displaced from a dwelling, not eligible to receive a payment under [section 316.5](#), which dwelling was actually and lawfully occupied by the displaced person for not less than ninety days immediately prior to the initiation of negotiations for acquisition of the dwelling, or as a result of the written order of the displacing agency to vacate the real property. All determinations to carry out [this section](#) shall be made in accordance with administrative rules adopted by the department. The displaced person may elect either of the following:

1. The amount necessary to enable the displaced person to lease or rent a comparable replacement dwelling. At the discretion of the displacing agency, a payment under [this subsection](#) may be made in periodic installments. Computations of a payment under [this subsection](#) to a low-income displaced person for a comparable replacement dwelling shall take into account the person's income.

2. The amount necessary to enable the person to make a down payment, including incidental expenses described in [section 316.5, subsection 1](#), paragraph "c", on the purchase of a decent, safe, and sanitary dwelling. The person may, at the discretion of the displacing agency, be eligible under [this subsection](#) for the maximum payment allowed under [subsection 1](#), except that, in the case of a displaced homeowner who has owned and occupied the displaced dwelling for at least ninety days but not more than one hundred and eighty days immediately prior to the initiation of negotiations for the acquisition of the dwelling, the payment shall not exceed the payment the person would otherwise have received under [section 316.5, subsection 1](#), had the person owned and occupied the displaced dwelling for one hundred and eighty days immediately prior to the initiation of the negotiations.

[C71, §316.4(2), 316.5; C73, 75, 77, 79, 81, §316.6]

[89 Acts, ch 20, §10](#)

Referred to in [§316.8](#)