

Chapter 03

RELOCATION POLICY FOR ASG TENANTS DISPLACED

BY ASG SPONSORED REDEVELOPMENT PROGRAMS

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37.0301 Authority.

Authority to promulgate these rules arises from 24 CFR Part 42, which places the responsibility on ASG to form a local displacement policy when working on HUD redevelopment projects. Authority is also found in Chapter 1, Title 10 of the American Samoa Code Annotated.

History: Rule 19-87, eff 28 Dec 87.

37.0302 Purpose.

With some regularity the American Samoa Government sponsors redevelopment projects within the territory. As a result of these redevelopment projects, the American Samoa Government must occasionally terminate some tenants' leases. The purpose of these rules is to establish a relocation policy for tenants displaced from their leasehold as a result of these redevelopment projects.

History: Rule 19-87, eff 28 Dec 87.

37.0303 Definitions.

The words and phrases appearing in this chapter requiring definition are defined as follows:

- (a) "ASG" is the American Samoa Government.

(b) "Displaced tenant" is any individual, partnership, corporation or association who, as a result of an ASG redevelopment project, vacates and relocates to another location.

(c) "HUD" means Department of Housing Urban Development, a department of the U.S. Government which sponsors redevelopment projects.

History: Rule 19-87, eff 28 Dec 87.

37.0304 Objectives.

The following objectives shall be pursued the redevelopment committee :

(1) to ensure that displaced tenants with leasehold interests in real property being reclaimed for redevelopment by ASG are treated ly and consistently, to encourage and expedite acquisition by agreements with such displaced tenants and to promote public confidence in redevelopment projects conducted ASG;

(2) to ensure that displaced tenants of ASG property are treated fairly, consistently, and equitably and to ensure against disproportionate injuries as a result of ASG projects designed the benefit of the community.

History: Rule 19-87, eff 28 Dec 87.

37.0305 Basic acquisition policy-Establishment of just compensation.

Upon 90-day notice of termination, ASG attempt to provide displaced tenants an alternative location as close as possible to original location. If a satisfactory location cannot be found, ASG will provide the following assistance:

(a) The last 3 months of the tenancy will be rent free.

(b) If the displaced tenant elects to move his business to another location, and providing displaced tenant has no outstanding debts SG, ASG will reimburse actual, verifiable, moving expenses in an amount not to exceed \$500.

History: Rule 19-87, eff 28 Dec 87.

37.0306 Steps ASG will take to minimize involuntary displacement of tenants.

The American Samoa Government will take the following steps in an effort to minimize involuntary displacement of tenants:

(1) design projects to reduce displacement of indigenous businesses;

(2) attempt to relocate tenants in other ASG facilities;

(3) complete projects without undue delay to minimize tenants' temporary relocations, if there are any.

History: Rule 19-87, eff 28 Dec 87.

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