



The Brookhurst Street Widening Project
DRAFT RELOCATION PLAN

Prepared for:
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Anaheim, CA 92805

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INTRODUCTION

The City of Anaheim (the “City”) has authorized the preparation of a Relocation Plan to be undertaken in connection with the commencement of the proposed street improvements necessary to widen Brookhurst Street from Katella Avenue to Ball Road, which will increase from four lanes to six through lanes. The proposed Brookhurst Street Widening Project (“Project”) requires the acquisition of necessary rights-of-way. The Project will require the acquisition of 23 full takes of residential properties and 12 partial takes, including two within the County limits (west side). In addition, work will include: new curbs and gutters, sidewalks, concrete pavement, parkways and median islands, driveway approaches, catch basins, landscaping and irrigation systems, access ramps, traffic signal modifications, retaining walls, street lights and striping and all appurtenant work. The Project will match the future Katella Avenue Smart Street Project at the intersection of Brookhurst Street and Katella Avenue. In addition to increasing capacity, this project will further enhance roadway operations, reduce vehicular travel time, reduce fuel consumption and increase traffic safety with the provision of continuous raised medians.

Existing improvements located within the area of construction may be relocated or demolished, as appropriate, in order to facilitate construction of the proposed improvements. The proposed widening project will potentially cause the acquisition and demolition of 23 single-family residences. Although, within the 23 residences, 32 separate households will be displaced. The needs and characteristics of the displacee population, available relocation resources and the City’s program to provide assistance to each affected person are general subjects of this Relocation Plan (Plan).

Funding for the Project comes from the Master Plan of Arterial Highways Program (MPAH). This Plan conforms to the requirements of the California Relocation Assistance Law, Government Code Section 7260, et seq. (Law), the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development and Title 25, California Code of Regulations Section 6000, et seq. (Guidelines).

This Plan is organized in five sections:

1. Project description (**SECTION I**);
2. Assessment of the relocation needs of persons subject to displacement (**SECTION II**);
3. Assessment of available replacement housing units within the City of Anaheim and surrounding communities (**SECTION III**);
4. Description of the City’s relocation program (**SECTION IV**);
5. Description of the City’s outreach efforts, Project timeline and budget (**SECTION V**).

I. PROJECT DESCRIPTION

A. REGIONAL LOCATION

The Project is located in the City of Anaheim within Orange County. Anaheim is located approximately 25 miles southwest of the City of Los Angeles and is easily accessible by Interstate 5 and State Routes 22 and 57. Adjacent communities include Fullerton, Placentia, Orange, Santa Ana, Stanton, Garden Grove and Buena Park. (See Figure 1: Regional Project Location)



Figure 1: Regional Project Location

B. PROJECT SITE LOCATION AND DESCRIPTION

The Project site is on Brookhurst Street generally bordered by S. Nutwood Street to the east, W. Katella Avenue to the south, Gilbert Street to the west and W. Ball Drive to the north. (See *Figure 2: Project Site Location*) The Project area of construction is approximately 1.36 acres. This consists of the entire width of Brookhurst Street from Katella Avenue to Ball Road. (See Project Map in **Exhibit B.**) Due to the nature of the proposed improvements and the impact on the subject properties, there will be 23 properties fully acquired and 12 properties requiring partial acquisitions. Twenty-three residential properties within the Project site require acquisition of all improvements, including 23 single-family residences.



Figure 2: Project Site Location

C. GENERAL DEMOGRAPHIC AND HOUSING CHARACTERISTICS

According to the 2000 U.S. Census, the population of the City of Anaheim is 328,014, and the population of the impacted Census Tract is 4,734 (see Table 1). Corresponding Census data concerning the housing mix is shown in Table 2.

Population	Tract 877.04	%	City	%
Total Population	4,734	100.0%	328,014	100.0%
White	2,584	54.6%	179,627	54.8%
Black or African American	92	1.9%	8,735	2.7%
American Indian or Alaska Native	21	0.4%	3,041	0.9%
Asian	939	19.8%	39,311	12.0%
Native Hawaiian or Other Pacific Islander	15	0.3%	1,393	0.4%
Some Other Race	864	18.3%	79,427	24.2%
Two or More Races	219	4.6%	16,480	5.0%
Hispanic or Latino (of Any Race)	1,580	33.4%	153,374	46.8%

Source: U.S. Census Bureau, QT-PL. Race, Hispanic or Latino, and Age: 2000

Type	Tract 877.04	%	City	%
Total Units	1,396	100.0%	99,719	100.0%
Owner-Occupied	1,021	74.4%	48,514	50.0%
Renter-Occupied	351	25.6%	48,455	50.0%
Vacant Housing Units	24	100.0%	2,005	2.7%
Available for Sale Only (of Total Vacant Units)	6	25.8%	428	15.6%
Available for Rent – Full Time Occupancy (of Total Vacant Units)	5	20.8%	6021,625	59.1%
Sold or Rented – Not Occupied	1	4.2%	276232	8.4%
Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)	10	41.7%	210	7.6%
Other Vacant	2	8.3%	255	9.3%

Source: U.S. Census Bureau, QT-H1. General Housing Characteristics: 2000

II. ASSESSMENT OF RELOCATION NEEDS

A. SURVEY METHOD

To obtain information necessary for the preparation of this Plan, personal interviews with the residents to be permanently displaced were conducted in January, April and May 2010. The interviewer was successful in obtaining survey responses from 19 of the 23 occupied dwellings in the Project. However, within the 23 residences, there are 32 separate “households.” Of the 32 households, only 19 participated in the interview process. The data in this section of the Plan are based solely on the unconfirmed responses of those individuals who participated in the survey.

Inquiries made of the residential occupants concerned household size and composition, income, rent and mortgage payments, length of occupancy, ethnicity, home language, physical disabilities, and replacement housing preferences. A sample of the residential interview form used in the interview process is presented as **Exhibit A** of this report.

B. FIELD SURVEY DATA

1. Current Occupants

There are 32 residential households to be relocated for the Project. At the time of the interviews, based on data known for 19 of the households, there were 71 adults and 19 children (17 years or younger) on-site to be permanently displaced.

All project occupants reside in single-family residences (SFRs). Amongst the individual households to be displaced, there are 17 tenant-occupied households and 15 owner-occupied households. One tenant occupied household consists of eight separate tenants renting rooms within the dwelling. Two other tenant-occupied households consist of single tenants renting rooms within owner-occupied dwellings.

Amongst the tenant-occupied households, ten occupy rooms for rent, four occupy three-bedroom SFRs and three occupy four-bedroom SFRs. Amongst the owner-occupied households, 11 occupy three-bedroom SFRs and four occupy four-bedroom SFRs. The commonly accepted standard for housing density within allows two persons per bedroom and one person in the common living area. Based on this criterion and available tenant data, there are no overcrowded units among the tenant-occupied households.

In addition, two of the households reported in-home businesses related to real estate, house cleaning and gardening.

2. Replacement Housing Needs

Replacement housing needs, as expressed in this plan, are defined by the total number of required replacement units and distribution of those units by bedroom size. The projected number of required units by bedroom size is calculated by comparing survey data for household size with typical replacement housing occupancy standards. These standards, generally, allow for up to three persons in a one-bedroom unit, five persons in a two-

bedroom unit, seven persons in a three-bedroom unit and nine or more persons in a four-bedroom unit.

Replacement units required for the Project occupants include: 10 rooms for rent, four three-bedroom SFRs for rent, three four-bedroom SFRs for rent, 11 three-bedroom SFRs for purchase and four four-bedroom SFRs for purchase.

3. Income

Income information was provided by six of the 17 tenant households. According to income standards for the County of Orange (**Exhibit C**) adjusted for family size as published by the United States Department of Housing and Community Development (HCD), one Project household qualifies as Extremely Low Income (30% and less of area median income), two Project households qualify as Very Low income (31%-50% of median), and three Project households qualify as Low income (51% - 80% of median). The income level for the remaining 11 tenant households is unknown.

4. Ethnicity/Language

Based on information from the 19 households who participated in the surveys, and based on additional information provided by property owners, the ethnicity stated was Hispanic for nine households, White for seven households and Asian for five households. Five households stated Spanish as their primary language, 14 stated English and one stated Vietnamese. Ethnicity and preferred language for the remaining 11 households is unknown.

5. Senior/Handicapped Households

There are nine known households with a senior individual (62 years or older) in the Project, and five known households with reported physical disabilities including difficulty walking and going up and down stairs, cancer, and the need to use a wheelchair. At least two households will require a single story or first-floor replacement unit due to the physical disabilities of one of its members, and at least one household will require handicap accessible improvements.

6. Preferred Relocation Areas

Most households surveyed expressed a preference to remain in the Anaheim community or close surrounding areas in order to maintain current access to employment, customers, schools, religious organizations, family, shopping and medical facilities. Some expressed an interest in moving to Cypress, Garden Grove, Los Alamitos and Irvine as well. Two households desire a replacement site with more than standard parking opportunities

III. RELOCATION RESOURCES

A. METHODOLOGY

For residential housing, a resource survey was initially conducted to identify available homes for rent and for sale within a five-mile radius from the Project site and then expanding throughout Anaheim. The following sources were utilized:

- Contacts with real estate/property management companies serving the community
- Internet sources for rental and purchase opportunities, including the Multiple Listing Service
- Classified rental listings from local newspapers and *For Rent* publications

B. REPLACEMENT HOUSING AVAILABILITY

1. Residential Rental Housing

The rental replacement housing survey considered rooms for rent for rent and SFRs for rent in Anaheim and surrounding communities. This data is summarized in **Table 3** below. The individual figures for number of units found by bedroom size are presented in the table alongside the number of units needed (shown in parentheses) to meet the re-housing obligations.

Bedroom Size	Three	Four	Room for Rent
# Found (# Needed)	24 (4)	13 (3)	38 (10)
Rent Range	\$1,475 - \$2,000	\$1,750 - \$2,500	\$125 - \$750
Median Rent	\$1,850	\$2,100	\$550

The median rent amount shown in the table is among the figures used to make benefit and budget projections for the Plan. This amount is, naturally, subject to change according to the market rates prevailing at the time of displacement.

2. Residential Housing for Purchase

Real estate listings were obtained for single-family residences for sale in Anaheim. Available comparable homes for sale were identified and are summarized in **Table 4** below.

Bedroom Size	Three	Four < 1,500 SF	Four > 2,700 SF
# Found (# Needed)	70 (11)	33 (3)	9 (1)
Listing Price Range	\$219,000-\$454,000	\$240,000-\$425,000	\$500,000-\$650,000
Median List Price	\$350,000	\$350,000	\$589,000

3. Replacement Sites for Businesses

At this time, it is assumed that the three in-home businesses identified within the Project site will remain in the homes of the owners at their replacement locations. However, in the event an owner chooses to relocate the business to a separate location from their home, referrals to suitable commercial replacement sites will be offered to the business owner.

4. Summary

Considering the above described availability of replacement housing resources gathered in April and May 2010, it appears that there are more than adequate replacement resources for the residential occupants. But, while adequate replacement resources exist, based on survey results of rental opportunities and the tenant's current rent, the tenant occupants will likely have an increase in monthly rent. Possible increases, if any, will be met through the Agency's obligation under the relocation regulations, including Last Resort Housing (LHR) requirements. (See Section IV, E).

In regards to owner-occupants, who may be in a negative equity situation, the City's acquisition representatives will make every attempt to negotiate with the owner's mortgage holder(s) in order to reduce or eliminate any loan balance in excess of the appraised value of the home. In the event these negotiations are unsuccessful, Last Resort Housing options for owners will be explored and evaluated on a case by case basis.

C. RELATED ISSUES

1. Concurrent Residential Displacement

At this time, there are no other current public projects causing significant displacements underway in the City of Anaheim or adjacent communities which would compete with the Project for needed housing resources. No residential displacee will be required to move without both adequate notice and access to available affordable decent, safe and sanitary housing.

2. Temporary Housing

No need for temporary housing is anticipated.

IV THE RELOCATION PROGRAM

The City's Relocation Program is designed to minimize hardship, be responsive to unique project circumstances, emphasize maintaining personal contact with all affected individuals, consistently apply all regulatory criteria to formulate eligibility and benefit determinations and conform to all applicable requirements.

The City has retained Overland, Pacific & Cutler, Inc. ("OPC") to administer the Relocation Program. OPC has worked on more than 3,000 public acquisition and relocation projects over the past 30 years. Additionally, OPC has an extensive resume of redevelopment and public works projects undertaken in the City of Anaheim and other Southern California communities. Experienced City staff will monitor the performance of OPC and be responsible to approve or disapprove OPC recommendations concerning eligibility and benefit determinations and interpretations of the City's policy.

The Relocation Program consists of two principal constituents: Advisory Assistance and Financial Assistance.

A. ADVISORY ASSISTANCE

Individuals who will need to move from existing homes will receive advisory assistance. Advisory assistance services are intended to:

- inform displacees about the relocation program
- help in the process of finding appropriate replacement accommodations
- facilitate claims processing
- maintain a communication link with the City
- coordinate the involvement of outside service providers

To follow through on the advisory assistance component of the relocation program and assure that the City meets its obligations under the law, relocation staff will perform the following functions:

1. Distribute appropriate written information concerning the City's relocation program;
2. Inform eligible project occupants of the nature of, and procedures for, obtaining available relocation assistance and benefits. (See **Exhibit D**)
3. Determine the needs of each residential and commercial displacee eligible for assistance;
4. Provide residential displacees with at least three referrals to comparable replacement housing within a reasonable time prior to displacement;
5. Maintain an updated database of available housing resources, and distribute referral information to displacees for the duration of the Project;

6. Provide transportation to residential displacees, if necessary, to inspect replacement sites within the local area;
7. Offer special assistance to help elderly or disabled displacees find housing near friends, relatives, medical facilities, services and convenient transportation;
8. Provide continuously updated referrals to potential replacement sites within a reasonable time prior to displacement,
9. Supply information concerning federal and state programs and other governmental programs providing assistance to displaced persons;
10. Assist each eligible displacee in the preparation and submission of relocation assistance claims;
11. Provide additional reasonable services necessary to successfully relocate occupants;
12. Make benefit determinations and payments in accordance with applicable law and the City's adopted relocation guidelines;
13. Assure that no occupant is required to move without a minimum of 90 days written notice to vacate. This notice could be part of, separate from, or be an Order for Immediate Possession issued from the Court;
14. Inform all persons, subject to displacement, of the City's policies with regard to eviction and property management;
15. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the City's decision with respect to relocation assistance; and,
16. Provide assistance that does not result in different or separate treatment due to race, color, religion, national origin, sex, marital status or other arbitrary circumstances.

B. RELOCATION BENEFITS

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacees. In the course of personal interviews and follow-up visits, each displacee will be counseled as to available options and the consequences of any choice with respect to financial assistance.

Relocation benefits will be paid to eligible displacees upon submission of required claim forms and documentation in accordance with the City's administrative procedures. The City may process advance payment requests to mitigate hardships for residential occupants who do not have access to sufficient funds to initially secure replacement housing such as paying an escrow

deposit or first month's rent and security deposit. Approved requests will be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

1. Residential Moving Expense Payments

All residential occupants to be relocated will be eligible to receive a payment for moving expenses. Moving expense payments will be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

a. Actual Cost (Professional Move)

The displacee may elect to retain the services of a licensed professional mover, in which case the City will pay the actual cost of moving services, based on the lowest of three (3) acceptable bids. (The City may, at its discretion, solicit competitive bids to determine the lowest, reasonable move cost.) After the move is complete, the displacee may request a direct payment from the City to the mover.

b. Fixed Payment (based on Room Count Schedule)

The displacee may, while taking full responsibility for the move, elect to receive a fixed payment for moving expenses based on a room count in the displacement dwelling. The fixed payment is a one-time, all inclusive allowance that does not require back-up documentation. The current schedule for fixed payments is set forth in Table 5:

TABLE 5: Schedule of Fixed Moving Payments									
Unfurnished Dwelling									
Room count	1	2	3	4	5	6	7	8	Each additional
Amount	\$625	\$800	\$1,000	\$1,175	\$1,425	\$1,650	\$1,900	\$2,150	\$225
Furnished Dwelling									
Room count	1	each additional							
Amount	\$400	\$65							

Source: California Department of Transportation

2. Rental Assistance to Tenants Who Choose to Rent

A tenant displaced from a dwelling may be entitled to a Replacement Housing Payment in the form of rental or downpayment assistance not-to-exceed \$5,250 (prior to consideration of eligibility for Last Resort Housing benefits – see Last Resort Housing, Section IV, E), if the displacee:

1. Has actually and lawfully occupied the displacement dwelling for at least 90 days immediately prior to the initiation of negotiations; and

2. Has rented, or purchased, and occupied a decent, safe, and sanitary replacement dwelling within one year (unless the Agency extends this period for good cause) after the date he or she moves from the displacement dwelling.

Rental Assistance payment amounts are equal to 42 times the difference between the base monthly rent and the lesser of:

- (i) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or
- (ii) The monthly rent and estimated average monthly cost of utilities for the decent, safe and sanitary replacement dwelling actually occupied by displaced person.

The base monthly rent for the displacement dwelling is the lesser of:

- (i) The average monthly cost for rent and utilities at the displacement dwelling 90 days prior to the offer on the property. For owner-occupants or households, which pay no rent, Fair Market Rent will be used as a substitute for actual rent; or
- (ii) Thirty percent (30%) of the displaced person's average, monthly, adjusted gross household income. If a displacee refuses to provide appropriate evidence of income or is a dependent, the base monthly rent shall be determined to be the average monthly cost for rent and utilities at the displacement dwelling; or
- (iii) The total of the amount designated for shelter and utilities if receiving a welfare assistance payment from a program that designated the amounts for shelter and utilities.

Table 6 below illustrates the computation of a rental/downpayment assistance payment.

TABLE 6: Computation of Rental Assistance Payments (Tenants)		
1 Old Rent	\$650	Old Rent, plus Utility Allowance
or		
2. Ability to Pay	\$700	30% of the Adjusted Gross Household Income*
3. Lesser of lines 1 or 2	\$650	Base Monthly Rental
Subtract From:		
4. Actual New Rent	\$750	Actual New Rent including Utility Allowance
or		
5. Comparable Rent	\$775	Determined by Agency, includes Utility Allowance
6. Lesser of lines 4 or 5	\$750	
7. Yields Monthly Need	\$100	Subtract line 3 from line 6
8. Rental Assistance Payment	\$4,200	Multiply line 7 by 42 months

*Gross income means the total amount of annual income of a household less the following: (1) a deduction for each dependent in excess of three; (2) a deduction of 10% of total income for the elderly or disabled head of household; (3) a deduction for recurring extraordinary medical expenses defined for this purpose to mean medical expenses in excess of 3% of total income, where not compensated for, or covered by insurance or other sources; (4) a deduction of reasonable amounts paid for the care of children or sick or incapacitate family members when determined to be necessary to employment of head of household or spouse, except that the amount shall not exceed the amount of income received by the person who would not otherwise be able to seek employment in the absence of such care.

3. Downpayment Assistance to Tenants Who Choose to Purchase

Displacees otherwise eligible to receive a Rental Assistance payment as previously described, may choose to utilize the full amount of their rental assistance eligibility amount (including Last Resort benefit) to purchase a home. Such payments shall be deposited directly into an escrow account with provisions that allow the Agency to recover its funds should the escrow be cancelled or not proceed in a timely manner. These funds can be used as a downpayment and/or to pay for eligible non-recurring closing costs.

4. Payment to Non-Tenured Residential Tenants

A residential tenant who has actually and lawfully occupied the displacement dwelling for less than 90 days immediately prior to the initiation of negotiations is entitled to receive a moving expense payment. Additionally, non-tenured residential tenants may qualify for a rental assistance payment under the provisions of Last Resort Housing assistance (see Last Resort Housing, Section IV, E). Such assistance is authorized when comparable replacement housing is not available at rental rates within the tenant's financial means (30% of gross monthly household income). Last Resort Housing assistance to non-tenured households is based solely on income.

5. Replacement Housing Assistance for Homeowners

Homeowners displaced by this Project will be eligible for relocation replacement housing payments, if the following conditions are met:

- (a) The household has owned and occupied their unit for not less than 180 days prior to the Initiation of Negotiations, and
- (b) The household purchases and occupies a replacement unit within one year from:
 - (i) the date that the household receives the final payment from the displacing entity for all the costs of the acquired unit - **or** -
 - (ii) the date that the household vacates the acquired unit, whichever is later.

Displaced homeowner households will receive assistance in locating a "comparable replacement" unit and will be eligible for the following benefits, not-to-exceed \$22,500:

1. Purchase Price Differential:

The displaced owner households will be entitled to receive an amount equal to the difference between the price paid for the acquired unit and the amount required to purchase a “comparable replacement” unit. The displacing entity is allowed the following options in paying any price differential as explained in section 6102 of the Guidelines:

- (a) Comparative Method: On a case-by-case basis, the displacing entity will determine the price of a “comparable replacement” unit, which is most representative of the acquired unit, by selecting and considering the listing price of at least three (whenever possible) “comparable replacement” units.
- (b) Schedule Method: The displacing entity may establish a schedule of reasonable acquisition costs of “comparable replacement” units based on a current analysis of the housing market.
- (c) Alternate Method: When neither the Comparative nor Schedule methods are feasible, the displacing entity may use another reasonable method.

2. Other Payments:

Moreover, displaced homeowners will receive the following assistance:

- (a) Payments to cover the cost between the difference of the household’s current debt or mortgage service and any increase in debt or mortgage costs necessary to acquire a “comparable replacement” housing unit; and
- (b) Incidental and reasonable one-time costs for acquiring a replacement unit, such as escrow costs, and recurring and credit reporting fees.

6. Rental Assistance to Owner-Occupants Who Choose to Rent

An owner displaced from a dwelling may be entitled to a Replacement Housing Payment in the form of rental or downpayment assistance not-to-exceed \$5,250 (prior to consideration of eligibility for Last Resort Housing benefits – see Last Resort Housing, Section IV, E), if the displacee:

- a.. Has actually and lawfully occupied the displacement dwelling for at least 90 days immediately prior to the initiation of negotiations; and
- b. Has rented, or purchased, and occupied a decent, safe, and sanitary replacement dwelling within one year (unless the City extends this period for good cause) after the date he or she moves from the displacement dwelling.

Rental Assistance payment amounts are equal to 42 times the difference between the base monthly rent and the lesser of:

- (i) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or
- (ii) The monthly rent and estimated average monthly cost of utilities for the decent, safe and sanitary replacement dwelling actually occupied by the displaced person.

The base monthly rent for the displacement dwelling is:

- (i) The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period prior to the displacement, as determined by the City. For owner-occupants or households, which pay no rent, Fair market rent will be used as a substitute for actual rent.

Table 7 below illustrates the computation of a rental/downpayment assistance payment amount.

TABLE 7: Computation of Rental Assistance Payments (Owners)		
1 Old Rent	\$650	Old Rent, plus Utility Allowance
Subtract From:		
2. Actual New Rent	\$750	Actual New Rent including Utility Allowance
or		
3. Comparable Rent	\$775	Determined by City, includes Utility Allowance
4. Lesser of lines 3 or 4	\$750	
5. Yields Monthly Need	\$100	Subtract line 1 from line 4
6. Rental Assistance	\$4,200	Multiply line 5 by 42 months

However, such replacement housing payments may not exceed the payments for which the household would have been entitled, if it had elected to purchase a replacement unit.

7. Benefits for Relocation of an In-Home Business

Payments to a business within a displacee’s home may include actual, reasonable, eligible moving expenses and may include reimbursement for reestablishment and site searching expenses related to the replacement site.

C. DETERMINATION OF COMPARABLE HOUSING

Relocation staff will evaluate the cost of comparable replacement housing in the preparation of each individual Notice of Eligibility issued to residential displacees. For residential tenant occupants, the cost of comparable replacement housing will be determined primarily by the

schedule method, which determines the median rent in the local market for each type of unit needed. For owner-occupants, the cost of comparable replacement housing may be determined either by the schedule method or the comparative method.

D. GENERAL INFORMATION REGARDING THE PAYMENT OF RELOCATION BENEFITS

Claims and supporting documentation for relocation benefits must be filed with the City no later than 18 months after the date of displacement. The procedure for the preparation and filing of claims, and the processing and delivery of payments, will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance;
2. Relocation staff will review all necessary documentation including, but not limited to, income verification, lease documents and escrow material before reaching a determination as to which expenses are eligible for compensation;
3. Required claims forms will be prepared by relocation staff and presented to the claimant for review. Signed claims and supporting documentation will be returned to relocation staff and submitted to the City;
4. The City will review and approve claims for payment, or request additional information;
5. The City will issue benefit checks to claimants in the most secure, expeditious manner possible;
6. Final payments to residential displacees will be issued after confirmation that the Project premises have been completely vacated and actual residency at the replacement unit is verified;
7. Receipts of payment and all claims materials will be maintained in the relocation case file.

E. LAST RESORT HOUSING

Specifically, for renters, when the computed replacement housing assistance eligibility exceeds \$5,250 or replacement dwelling monthly rental costs (including utilities and other reasonable recurring expenses) exceeds 30% of the person's average monthly income. Last Resort Housing will have to be provided.

Therefore, if the Project is to go forward, the City will authorize its funds or funds authorized for the Project to provide housing of last resort. Funds will be used to make payments in excess of the monetary limit specified in the statute (\$5,250); hence, satisfying the requirement that "comparable replacement housing" is available.

A displaced tenant household will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed replacement housing assistance eligibility exceeds \$5,250 or replacement dwelling monthly rental costs (including utilities and other reasonable recurring expenses) exceed 30% of the person's average monthly income (financial means) or when a tenant fails to meet the 90-day occupancy requirement and comparable replacement rental housing is not available within the displaced person's financial means. Calculations of Last Resort rental assistance benefits for tenants who fail to meet the 90-day occupancy requirement will be based solely on household income. Non 90-day qualifiers must meet basic eligibility requirements applied to all other displacees.

Based on data derived from the surveys and analyses of the occupants in the Project area and costs of replacement housing resources, it is anticipated that "comparable replacement housing" (replacement cost) will not be available for some owners as required.

For owner-occupants/homeowners, if there is not enough "comparable replacement housing" available (related to purchase price), the displacing entity shall pay whatever costs are necessary beyond the statutory cap of \$22,500 to acquire a "comparable replacement" unit, including reasonable incidental expenses. In addition, there are several other Last Resort Housing options not associated with making replacement housing payments beyond the statutory limits. Options for any qualified household will be explored on a case by case basis.

A displaced homeowner household, which has purchased and occupied its current unit for less than 180 days but at least 90 days prior to the "initiation of negotiations", is eligible for all the assistance and benefits that are available to a tenant household.

The City may pay Last Resort Housing payments in installments or a lump sum. Recipients of Last Resort rental assistance, who intend to purchase rather than re-rent replacement housing, will have the right to request a lump sum payment of all benefits in the form of downpayment assistance.

F. RELOCATION TAX CONSEQUENCES

In general, relocation payments are not considered income for the purpose of Division 2 of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986 (Title 26, U.S. Code), or for the purpose of determining the eligibility or extent of eligibility of any person for assistance under the Social Security Act (42 U.S. Code 301 et seq.) or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part II (commencing with Section 23001) of Division 2 of Revenue and Taxation Code. The above statement on tax consequences is not intended as tax advice by the City or OPC. Displacees are responsible for consulting with their own tax advisors concerning the tax consequences of relocation payments.

V. ADMINISTRATIVE PROVISIONS

A. NOTICES

Each notice, which the City is required to provide to a Project occupant, shall be personally delivered or sent certified or registered first-class mail, return receipt requested and documented in the case file. Each notice will be written in plain, understandable language. Each notice will indicate the name and telephone number of a person who may be contacted for answers to questions and other needed help.

There are three principal notices:

- 1) the Information Statement
- 2) the Notice of Relocation Eligibility, and
- 3) the 90-Day Vacate Notice.

The Informational Statement is intended to provide potential relocatees with a general written description of the City's relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights. (See **Exhibit D**)

A Notice of Relocation Eligibility (NOE) will be distributed to each residential relocatee. The NOE to residential relocatees contains a determination of eligibility for relocation assistance and a computation of a maximum entitlement based on information provided by the affected household and the analysis of comparable replacement properties undertaken by the relocation staff.

No lawful occupant will be required to move without having received at least 90 days advance written notice of the earliest date by which the move will be necessary. The 90-Day Vacate Notice will state a specific date as the earliest date by which the occupant may be required to move or state that the occupant will receive a further notice indicating, at least 60 days in advance, the specific date of the required move. The 90-Day Notice will not be issued to any residential displacee before a comparable replacement dwelling has been made available.

In addition to the three principal notices, relocation staff will issue timely written notification in the form of a Reminder Notice, which discusses the possible loss of rights and sets the expiration date for the loss of benefits to those persons who:

- 1) are eligible for monetary benefits
- 2) have moved from the acquired property, and
- 3) have not filed a claim for benefits.

Reminder Notices will be issued periodically throughout the qualification period. An attempt shall be made to make written contact with all non-responsive relocatees no later than within the last six months prior to the filing expiration date.

B. PRIVACY OF RECORDS

All information obtained from displacees is considered confidential and will not be shared without consent of the displacee or the City. Relocation staff will comply with federal regulations concerning safeguarding of relocation files and their contents.

C. GRIEVANCE PROCEDURES

The City's grievance policy will follow the standards described in Article 5 Section 6150 et seq. of the State guidelines. Briefly stated, displacees will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, the amount of payment, the failure to provide comparable replacement housing referrals or the City's property management practices.

Requests for review will be directed first to the Director of Public Works or an authorized designee of the City and subsequently to a formal Relocation Appeals Board, at the election of the appellant complainant. Details concerning the entire appeals process will be provided upon request.

D. EVICTION POLICY

The City recognizes that eviction is permissible only as a last resort, and that relocation records must be documented to reflect the specific circumstances surrounding any eviction. Eviction will only take place in cases of nonpayment of rent, serious violation of the rental agreement, a dangerous or illegal act in the unit, or if the household refuses all reasonable offers of alternate accommodation. In the event of an eviction for cause, the household may forfeit their eligibility for relocation benefits.

E. CITIZEN PARTICIPATION

As the process for considering the Project moves forward, the City will observe the following protocol:

1. Provide affected tenants with full and timely access to documents relevant to the relocation program;
2. Encourage meaningful participation in reviewing the Relocation Plan and monitoring the relocation assistance program;
3. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;
4. Issue a general notice concerning the availability of the Plan for public review, as required, 30 days prior to its proposed approval; and
5. Include written or oral comments concerning the Plan as an attachment (**Exhibit E**) when it is forwarded to the City Council for approval.

F. PROJECTED DATE OF DISPLACEMENT

The City anticipates that date specific Notices to Vacate will not be issued prior to fall 2010. No resident will be required to vacate without a minimum of 90 days notice. However, a resident may chose to vacate prior to a vacate notice being issued, once they have received their Notice of Eligibility, and be assured they will receive any replacement housing assistance and moving assistance to which they may be entitled.

G. ESTIMATED RELOCATION COSTS

The total budget estimate for relocation-related payments for this Project, including a 10 percent contingency, is **\$1,027,000**.

The Estimated relocation budget does not include any payments related to property acquisition. In addition, the budget does not consider the cost of any services necessary to implement the Plan and complete the relocation element of the Project. If the Project is to be implemented, and circumstances arise that should change either the number of displaced occupants, or the nature of their activity, the City will authorize any additional compensable funds that may need to be appropriated. The City pledges to appropriate, on a timely basis, the funds necessary to ensure the successful completion of the Project, including funds necessary for Last Resort Housing as indicated in Section IV, E, of this Plan to meet its obligation under the relocation regulations.

EXHIBIT A
RESIDENTIAL INTERVIEW FORM

Residential Relocation Interview

Client/Project:		Case ID:	
Site Address:		Total occupants:	Interview Date: <input type="checkbox"/> Unoccupied
City, St, ZIP:		Interviewer:	<input type="checkbox"/> No Contact

INDIVIDUAL OCCUPANTS (use additional pages as needed)

1. Name:		Gender: F M	Employer/School:			
Relationship (list 1): HEAD OF HOUSEHOLD	<input type="checkbox"/> ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:	
Lawful presence (list 3):	Date of birth:					
Phone/fax/email:	Move-in date:					

Notes/special needs:

2. Name:		Gender: F M	Employer/School:			
Relationship (list 1):	<input type="checkbox"/> ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:	
Lawful presence (list 3):	Date of birth:					
Phone/fax/email:	Move-in date:					

Notes/special needs:

3. Name:		Gender: F M	Employer/School:			
Relationship (list 1):	<input type="checkbox"/> ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:	
Lawful presence (list 3):	Date of birth:					
Phone/fax/email:	Move-in date:					

Notes/special needs:

4. Name:		Gender: F M	Employer/School:			
Relationship (list 1):	<input type="checkbox"/> ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:	
Lawful presence (list 3):	Date of birth:					
Phone/fax/email:	Move-in date:					

Notes/special needs:

5. Name:		Gender: F M	Employer/School:			
Relationship (list 1):	<input type="checkbox"/> ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:	
Lawful presence (list 3):	Date of birth:					
Phone/fax/email:	Move-in date:					

Notes/special needs:

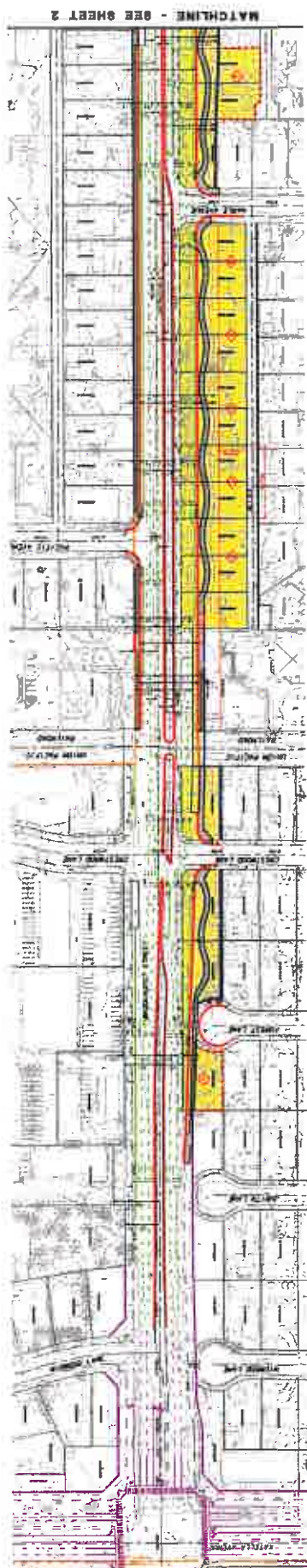
6. Name:		Gender: F M	Employer/School:			
Relationship (list 1):	<input type="checkbox"/> ID verified	Income srce (list 2):	Income/empl. description:	Hire/start date:	Mo Income:	
Lawful presence (list 3):	Date of birth:					
Phone/fax/email:	Move-in date:					

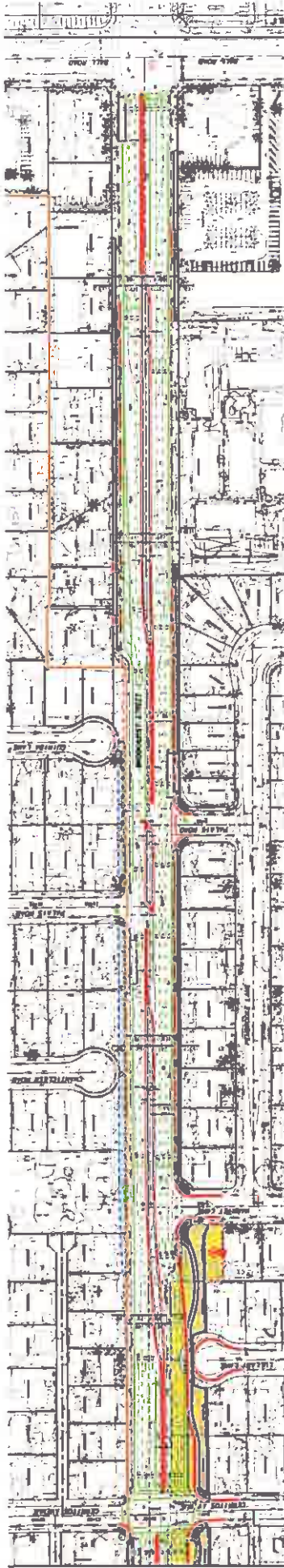
Notes/special needs:

DWELLING			HOUSEHOLD		
Mailing Address:			<input type="checkbox"/> Primary residence of all occupants? (If not, explain in notes)		
City, St, ZIP:			<input type="checkbox"/> Can someone read/understand English? If not, language:		
Carbon Copy Address:			Race/Ethnicity: <input type="checkbox"/> American Indian/Alaskan <input type="checkbox"/> Asian		
City, St, ZIP:			<input type="checkbox"/> Black/African-American <input type="checkbox"/> Hawaiian/Pacific Islander		
Dwelling Type (list 4):			<input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> White <input type="checkbox"/> Other <input type="checkbox"/> Mixed		
Bedrooms:	Attic/Utility/Storage:	Approx Sq Ft:	Subscribe to: <input type="checkbox"/> Land phone <input type="checkbox"/> TV service <input type="checkbox"/> Internet		
Kitchen:	Basement:	Bathrooms:	<input type="checkbox"/> Home-based business? (describe in notes)		
Living/family rooms:	Garage:	Garage Spaces:	<input type="checkbox"/> Rent rooms in dwelling? (describe in notes)		
Dining room:	Other/Extra:	Carport Spaces:	<input type="checkbox"/> On fixed income or public assistance? (describe in Occupants)		
Den/Office:	Total physical and content rooms to move:	Parking Spaces:	<input type="checkbox"/> Disabled occupants? (describe modifications/needs in Occupants)		
Total Rooms:		Number of cars:	Replacement site special needs (mark and describe in Notes)		
Air Cond: <input type="checkbox"/> Central <input type="checkbox"/> Wall/Window <input type="checkbox"/> Heat Pump <input type="checkbox"/> Evap./Swamp <input type="checkbox"/> None			<input type="checkbox"/> Employment access <input type="checkbox"/> Shopping		
Heating: <input type="checkbox"/> FAU <input type="checkbox"/> Radiant <input type="checkbox"/> Hot Water <input type="checkbox"/> Space Htr <input type="checkbox"/> Solar <input type="checkbox"/> Heat Pump			<input type="checkbox"/> Public transport <input type="checkbox"/> Religious		
Dwelling Condition: <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor			<input type="checkbox"/> Medical facilities/services <input type="checkbox"/> Social/Public services		
Neighborhood Condition: <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor			<input type="checkbox"/> School needs <input type="checkbox"/> Relatives/Ethnic		
Amenities:			<input type="checkbox"/> Childcare <input type="checkbox"/> Other special needs		
TENANT			<input type="checkbox"/> All occupants to move to the same dwelling? (If not, explain in notes)		
Rent terms: <input type="checkbox"/> Month-Month <input type="checkbox"/> Lease, months left:			Replacement dwelling preference: <input type="checkbox"/> Rent <input type="checkbox"/> Buy		
<input type="checkbox"/> Rent reduced in exchange for service	<input type="checkbox"/> Unit furnished by tenant		Can relocate from: <input type="checkbox"/> Neighborhood <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> State		
Monthly contract rent: \$	Security deposit: \$		Preferred relocation areas:		
Landlord/manager name/ph:			HOMEOWNER		
<input type="checkbox"/> Written rental agreement available?	<input type="checkbox"/> Rent receipts available?		Lot Size (sq ft):	Date purchased:	Age (yrs):
<input type="checkbox"/> Receiving Section 8 or other housing assistance?			<input type="checkbox"/> Own clear with no mortgages/loans		# of stories:
Caseworker name/ph:			1st Loan Information		2nd Loan Information
Monthly tenant portion of rent: \$			Lender:		Lender:
Annual family/child care expenses to allow work: \$			Loan Type (list 5):		Loan Type (list 5):
Annual non-reimbursed medical expenses: \$			Current % Rate:		Current % Rate:
Annual non-reimb. handicapped assistance expenses: \$			Principal Balance: \$		Principal Balance: \$
Utilities paid by tenant:			Original Date:		Original Date:
Pets:			Remaining months:		Remaining months:
<input type="checkbox"/> Gas: \$	Energy source: Gas Electr Oil Other		Monthly P&I payment:		Monthly P&I payment:
<input type="checkbox"/> Electric: \$	Cooking Stove: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		MOBILE HOME		
<input type="checkbox"/> Water: \$	Water Heater: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Pad space: <input type="checkbox"/> Rent <input type="checkbox"/> Own		Coach: <input type="checkbox"/> Rent <input type="checkbox"/> Own
<input type="checkbox"/> Sewer: \$	Space Heat: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Pad rent: \$		Make/Model:
<input type="checkbox"/> Trash: \$	Air Conditioning: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Coach length (ft):		Year:
<input type="checkbox"/> NONE			Coach width (ft):		Decal #:

**EXHIBIT B
PROJECT MAP**

ALIGNMENT PLAN
SHEET 1 OF 2





ALIGNMENT PLAN
SHEET 2 OF 2

EXHIBIT C

HUD INCOME LIMITS – ORANGE COUNTY

The following figures are approved by the U. S. Department of Housing and Community Development (H.C.D.) for use in the County of Orange to define and determine housing eligibility by income level.

Area Median: \$87,200			
Family Size	Extremely Low	Very Low	Lower
1 Person	19,500	32,500	52,050
2 Person	22,300	37,200	59,450
3 Person	25,100	41,850	66,900
4 Person	27,850	46,450	74,300
5 Person	30,100	50,200	80,250
6 Person	32,350	53,900	86,200
7 Person	34,550	57,600	92,150
8 Person	36,800	61,350	98,100

Figures are per the Department of Housing and Community Development (California), Division of Housing Policy Development, May 20, 2010.

EXHIBIT D
RESIDENTIAL INFORMATIONAL BROCHURE

Relocation Assistance Informational Statement for Families and Individuals

(CA State)

Displacing Agency:
City of Anaheim

Project Name:
Brookhurst Street Widening Project

Displacing Agency Representative:



Overland, Pacific & Cutler, Inc.
20 Fairbanks, Suite 178
Irvine, CA 92618
Phone: (800) 901-5263

Informational Statement Content:

1. General Information
2. Assistance In Locating A Replacement Dwelling
3. Moving Benefits
4. Replacement Housing Payment - Tenants And Certain Others
5. Section 8 Tenants
6. Replacement Housing Payment – Homeowners
7. Qualification For And Filing Of Relocation Claims
8. Last Resort Housing Assistance
9. Rental Agreement
10. Evictions
11. Appeal Procedures – Grievance
12. Tax Status of Relocation Benefits
13. Non-Discrimination and Fair Housing
14. Additional Information And Assistance Available

Spanish speaking representatives are available. Si necesita esta información en español, por favor llame a su representante.

Informational Statement for Families and Individuals

(CA State)

1. GENERAL INFORMATION

The dwelling in which you now live is in a project area to be improved by, or financed through, the Displacing Agency using state and/or local funds. If and when the project proceeds, and it is necessary for you to move from your dwelling, you may be eligible for certain benefits. You will be notified in a timely manner as to the date by which you must move. Please read this information, as it will be helpful to you in determining your eligibility and the amount of the relocation benefits you may receive under the state law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits or it may take longer to pay you. We suggest you save this informational statement for reference.

The Displacing Agency has retained the professional firm of **Overland, Pacific & Cutler, Inc. (OPC)** to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover.

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your representative with Overland, Pacific & Cutler, Inc., so you will not jeopardize any benefits. This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to the Displacing Agency's relocation assistance program.

Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive. Once the Displacing Agency acquires the property, you will also be required to pay rent to the Displacing Agency.

2. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The Displacing Agency, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself.

When a suitable replacement dwelling unit has been found, your relocation consultant will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

3. MOVING BENEFITS

If you must move as a result of displacement by the Displacing Agency, you will receive a payment to assist in moving your personal property. The actual, reasonable and necessary expenses for moving your household belongings may be determined based on the following methods:

- A Fixed Moving Payment based on the number of rooms you occupy (see below); **or**
- A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills; **or**
- A combination of both (in some cases).

For example, you may choose a Self Move, receiving a payment based on the Fixed Residential Moving Cost Schedule shown below, plus contract with a professional mover to transport your grand piano and /or other items that require special handling. In this case, there may be an adjustment in the number of rooms which qualify under the Fixed Residential Moving Cost Schedule.

A. Fixed Moving Payment

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the Displacing Agency, and ranges, for example, from \$400.00 for one furnished room to \$2,150.00 for eight rooms in an unfurnished dwelling. (For details see the table). Your relocation representative will inform you of the amount you are eligible to receive, if you choose this type of payment.

If you select a fixed payment, you will be responsible for arranging for your own move, and the Displacing Agency will assume no liability for any loss or damage of your personal property. A fixed payment also includes utility hook-up, credit check and other related moving fees.

Fixed Moving Schedule CALIFORNIA (Effective 2008)	
Occupant Owns Furniture:	
1 room	\$625
2 rooms	\$800
3 rooms	\$1,000
4 rooms	\$1,175
5 rooms	\$1,425
6 rooms	\$1,650
7 rooms	\$1,900
8 rooms	\$2,150
Each additional room	\$225
Occupant does NOT Own Furniture:	
1 room	\$400
Each additional room	\$65

B. Actual Moving Expense (Professional Move)

If you wish to engage the services of a licensed commercial mover and have the Displacing Agency pay the bill, you may claim the ACTUAL cost of moving your personal property up to 50 miles. Your relocation representative will inform you of the number of competitive moving bids (if any) which may be required, and assist you in developing a “mover” scope of services for Displacing Agency approval.

4. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS

You may be eligible for a payment of up to \$5,250.00 to assist you in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied the present dwelling for at least 90 days prior to the initiation of negotiations or an owner who has occupied the present dwelling between 90 and 180 days prior to the initiation of negotiations.

A. Rental Assistance. If you qualify, and **wish to rent** your replacement dwelling, your maximum rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent and estimated utilities or thirty percent (30%) of your gross monthly household income. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- OR -

- B. **Down-payment Assistance.** If you qualify, and **wish to purchase** a home as a replacement dwelling, you can apply up to the total amount of your rental assistance payment towards the down-payment and non-recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

Where a tenant is sharing a dwelling with an owner-occupant and paying the owner-occupant rent for the privilege, the tenant shall not be entitled to more than one-half of the rental assistance otherwise payable.

5. SECTION 8 TENANTS

When you do move, you may be eligible to transfer your Section 8 eligibility to a replacement site. In such cases, a comparable replacement dwelling will be determined based on your family composition at the time of displacement and the current housing program criteria. This may not be the size of the unit you currently occupy. Your relocation representative will provide counseling and other advisory services along with moving benefits.

6. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS

- A. If you own and occupy a dwelling to be purchased by the Displacing Agency for **at least 180 days** prior to the initiation of negotiations, you may be eligible to receive a payment of up to \$22,500.00 to assist you in purchasing a comparable replacement unit. This payment is intended to cover the following items:
1. **Purchase Price Differential** - An amount which, when added to the amount for which the Displacing Agency purchased your property, equals the lesser of the actual cost of your replacement dwelling; **or** the amount determined by the Displacing Agency as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.
 2. **Mortgage Interest Differential** - The amount which covers the increased interest costs, if any, required to finance a replacement dwelling. Your relocation representative will explain limiting conditions.
 3. **Incidental Expenses** - Those one time incidental costs related to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.
- B. **Rental Assistance Option** - If you are an owner-occupant and choose to rent rather than purchase a replacement dwelling, you may be eligible for a rental assistance payment of up to the amount that you could have received under the Purchase Price Differential, explained above. The payment will be based on the difference between an economic rent of the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

If you receive a rental assistance payment, as described above, and later decide to purchase a replacement dwelling, you may apply for a payment equal to the amount you would have received if you had initially purchased a comparable replacement dwelling, less the amount you have already received as a rental assistance payment.

7. QUALIFICATION FOR, AND FILING OF, RELOCATION CLAIMS

To qualify for a Replacement Housing Payment, you must rent or purchase and occupy a comparable replacement unit **within one year from the following:**

- For a tenant, the date you move from the displacement dwelling.
- For an owner-occupant, the latter of:
 - a. The date you receive final payment for the displacement dwelling, or, in the case of condemnation, the date the full amount of estimated just compensation is deposited in court,; or
 - b. The date you move from the displacement dwelling.

All claims for relocation benefits must be filed with the Displacing Agency **within eighteen (18) months** from the date on which you receive final payment for your property, or the date on which you move, whichever is later.

8. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, the Displacing Agency will provide Last Resort Housing assistance to enable you to rent or purchase a replacement dwelling on a timely basis. Last Resort Housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

If you are a tenant, and you choose to purchase rather than rent a comparable replacement dwelling, the entire amount of your rental assistance and Last Resort eligibility must be applied toward the down-payment and eligible incidental expenses of the home you intend to purchase.

9. RENTAL AGREEMENT

As a result of the Displacing Agency's action to purchase the property where you live, you may become a tenant of the Displacing Agency. If this occurs, you will be asked to sign a rental agreement which will specify the monthly rent to be paid, when rent payments are due, where they are to be paid and other pertinent information.

10. EVICTIONS

Any person, who occupies the real property and is not in unlawful occupancy, is presumed to be entitled to relocation benefits. Except for the causes of eviction set forth below, no person lawfully occupying property to be purchased by the Agency will be required to move without having been provided with at least 90 days written notice from the Agency. Eviction will be undertaken only in the event of one or more of the following reasons:

- Failure to pay rent; except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services;
- Performance of dangerous illegal act in the unit;

- Material breach of the rental agreement and failure to correct breach within the legally prescribed notice period;
- Maintenance of a nuisance and failure to abate within a reasonable time following notice;
- Refusal to accept one of a reasonable number of offers of replacement dwellings; or
- The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of the public entity.

11. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

12. TAX STATUS OF RELOCATION BENEFITS

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 170 01) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. No federal dollars are anticipated for this project. Therefore, federal regulations may not apply and the IRS may consider relocation payments as income. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees should consult with their own tax advisor or legal counsel to determine the current status of such payments.

(IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting marketing or recommending to another party any matters addressed herein)

13. NON-DISCRIMINATION AND FAIR HOUSING

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Displacing Agency's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination and fair housing laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the Displacing Agency.

14. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

Those responsible for providing you with relocation assistance hope to assist you in every way possible to minimize the hardships involved in relocating to a new home. Your cooperation will be helpful and greatly appreciated. If you have any questions at any time during the process, please do not hesitate to contact your relocation representative at Overland, Pacific & Cutler.

EXHIBIT E
PUBLIC COMMENTS AND RESPONSE