

DRAFT  
Relocation Impact Study and  
Last Resort Housing Plan  
for the  
City of Santa Rosa  
Fire Station Relocation and Municipal Use Project

*Prepared For*

City of Santa Rosa

December 2021

Submitted By



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Map of the Fire Station and Municipal Use Project  
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## **1.0 EXECUTIVE SUMMARY**

### **1.1 PURPOSE**

This Draft Relocation Impact Study and Last Resort Housing Plan (Relocation Plan) will identify occupied properties associated with the City of Santa Rosa (City) Fire Station Relocation and Municipal Use Project (Project) to assess potential relocation impact and to ensure that sufficient replacement housing is available for persons who may be required to relocate as a result of the Project. This Relocation Plan must conform with the Uniform Relocation Act, California Relocation Assistance Law, and other applicable local ordinances.

### **1.2 BACKGROUND**

The City of Santa Rosa (City) is interested in acquiring three properties along Hearn Avenue in Santa Rosa to implement one or more public uses, including the possible construction of a Fire Station. The properties are privately owned and are each improved with single family residences. One residence is vacant. The remaining two properties are occupied by tenant households.

The City has developed this Relocation Plan to address Project's impact on the property owners and occupants. It is anticipated that the Project could cause the relocation of the following:

- 3 property owners who may be required to move personal property only
- 2 residential tenant occupants
- No other anticipated relocation impact

All relocation assistance will be provided in accordance with City's Relocation Assistance Program (Relocation Program) which is summarized in this Relocation Plan.

Relocation laws and regulations were designed to ensure that uniform, fair and equitable treatment is afforded to persons displaced from their homes, businesses, or farms as a result of the actions of a public entity in order that such persons should not suffer disproportionate injury as a result of an action taken for the benefit of the public as a whole. As presently planned, this Project is funded with local funds. However, the City may utilize federal funds in the future for this Project. As a result, the City has developed a Relocation Assistance Program that conforms with Federal law, 42 U.S.C. 4601 et seq. (URA) and implements regulations found in 49 CFR Part 24, and applicable state laws and regulations found in the California Government Code Section 7260 et seq., and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1.

### **1.3 PROJECT ASSURANCES**

The City is committed to providing relocation assistance to all eligible occupants who are required to move as a result of this Project. Eligible occupants, whether owner or tenant, are defined in part by their length of occupancy and the terms under which they reside in the home. Eligible occupants are generally referred to as displaced persons.

The City offers the following assurances:

- a) Fair and reasonable relocation payments will be provided to eligible persons as required by Federal law 42 U.S.C. 4601 *et seq.* (URA) and implementing regulations found in 49 CFR Part 24, and applicable state laws and regulations found in California Government Code Section 7260 *et seq.* (CRAL), and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1 Act and Guidelines).
- b) The City has adopted a Relocation Assistance Program in compliance with the URA and CRAL and implementing guidelines.
- c) All eligible persons will be adequately informed of the assistance, benefits, policies, practices, and procedures, including grievance procedures, provided for in the URA, CRAL and implementing guidelines.
- d) Comparable replacement housing will be available within a reasonable period of time prior to displacement, sufficient in number, size and cost for the eligible persons who require them.
- e) Adequate provisions have been made to provide orderly, timely, and efficient relocation of eligible persons to comparable replacement housing available without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.
- f) This Relocation Plan has been prepared to meet the project planning and community participation requirements of the URA and CRAL and implementing guidelines.
- g) All persons who will be displaced, neighborhood groups, and any relocation committee shall be given an opportunity and shall be encouraged fully and meaningfully to participate in reviewing the Relocation Plan and monitoring the Relocation Assistance Program.
- h) A Relocation Advisor will identify comparable replacement dwellings within each household's financial means that are available to them and will provide assistance in obtaining housing of their choice, including assistance in the referral of complaints of discrimination to the appropriate Federal, State, or local fair housing enforcement agency.
- i) The City shall fully inform eligible persons as to the availability of the assistance that is available under the Relocation Assistance Program.

### **1.3 PROJECT SCHEDULING**

The City initiated negotiations with property owners in 2021 and made them aware of the available assistance. Full assistance will be provided once the parcels have been acquired, City Council (Council) approves a Final Relocation Plan, and staff is directed to move forward with the Relocation Assistance Program. The schedule provides for the facilitation and completion of all relocations by mid-2022.

## **2.0 RELOCATION PLANNING**

### **2.1 STATUTORY REQUIREMENTS**

The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (URA), and the California Relocation Assistance Law require public agencies to plan for the potential impact to persons and personal property caused by the construction of publicly funded projects. California law requires public agencies to prepare a formal Draft Relocation Plan and make it available for a 30-day review and comment period prior to submitting it to the agency's decision-making body for review, consideration, and adoption.

The purpose of the Relocation Plan is to:

- a) Describe the project, its schedule and financing plan.
- b) Identify the anticipated impact that the project would have on the occupants of property that may be acquired.
- c) Identify the availability of potential replacement sites for impacted occupants; and
- d) Explain the agency's Relocation Assistance Program.

The Draft Relocation Plan will be made available for public review. The public will be given an opportunity to submit comments regarding the Draft Relocation Plan. Comments and responses will be incorporated into the Final Relocation Plan that will be submitted to City Council for review, consideration, and adoption during its January 2021 Council meeting.

The Draft Relocation Plan will be mailed to each property owner and occupant and a copy will be available online at <https://srcity.org/3135/Real-Estate-Services>. A hard copy will be available at the office of Transportation and Public Works located at 69 Stony Circle, Santa Rosa, CA 95401.

### **2.2 PREPARATION OF PLAN**

The City contracted with Associated Right of Way Services, Inc. (AR/WS) to help plan how to assist property occupants who may be affected by the Project and to develop a Relocation Plan. The City identified three properties that may be impacted by the Project. The City sent letters to the property owners to introduce the Project and invited the property owners and occupants to meet with Relocation Advisors from AR/WS. One property owner spoke with Relocation Advisors. City staff spoke with the remaining property owners. No other occupants could be reached. Information gathered from discussions with owners, appraisal reports, and public information was incorporated into the findings of the Draft Relocation Plan. However, no specific occupant identification is included in this Plan in order to maintain the privacy of occupants.

AR/WS analyzed the characteristics of the occupied properties to determine replacement site needs, relocation planning needs, and the estimated cost of providing Relocation Assistance under City's Relocation Assistance Program.

## **BASIS OF FINDINGS**

The City's real estate team has worked with property owners to present information about the project. Several property owners have worked with the City to provide household information or contact information for occupied properties.

Relocation Advisors continue to attempt to meet with property owners and occupants to explain the Relocation Assistance Program, provide information to occupants about available replacement housing, and determine the feasibility of relocating the occupants into the surrounding community. Meetings with occupants will provide insight into household characteristics, replacement housing needs, and any special assistance that may be important to successfully relocate the occupants.

Relocation Advisors conducted a survey of area homes for rent to determine the availability of comparable replacement housing in the community that could accommodate the needs of the affected occupants.

### **2.3 PROJECT FUNDING**

The Project is completely locally funded at this time. However, should federal funds become available, the City may use federal funds to acquire the properties and relocate the occupants. Funds to provide relocation assistance will be available as needed.

### **2.4 PRELIMINARY RELOCATION COST ANALYSIS**

A preliminary relocation cost analysis was developed from information gathered through discussions with property owners, City staff, research of the area real estate market, direction from the URA, CRAL and implementing regulations, and the experience of City's consultant.

The preliminary relocation cost estimate to provide benefits is estimated at this time to be \$150,000 to \$202,000 or more. This preliminary analysis is based upon City's current understanding of the affected properties. The cost to acquire real property and improvements pertaining to realty are not included in this analysis.

The City will not proceed with displacement activities until it has secured the funds to pay relocation assistance payments to eligible occupants. Funds will be sufficient to provide full relocation assistance in accordance with City's Relocation Assistance Program.

### 3.0 RELOCATION IMPACT

#### 3.1 PROPERTY IDENTIFICATION

The City has identified three parcels that may be impacted by the Project. Only two of the properties are occupied as tenant residences. Each of the three property owners may have personal property that would need to be relocated. The City has not identified any other type of relocation impact.

The City would provide relocation assistance to all persons who have personal property on the site that needs to be moved and persons who occupy the properties as residents. All relocation assistance will be provided in accordance with City’s Relocation Assistance Program which is summarized in this Relocation Plan.

**Project Properties and Anticipated Relocation Impact**

<i>Count</i>	<i>APN</i>	<i>Site Address</i>	<i>Potential Relocation Impact</i>	
			<i>Property Owner</i>	<i>Property Occupant</i>
1	043-191-018	976 Hearn Avenue, Santa Rosa	X	X
2	043-191-019	980 Hearn Avenue, Santa Rosa	X	
3	043-191-020	1004 Hearn Avenue, Santa Rosa	X	X

It is anticipated that the Project will require the relocation of personal property for two property owners who may store personal property at the sites and two residential tenant households.

In December of 2021, the City delivered a General Information Notice (see Appendix) to each property owner and occupant. The notices described the Project and provided information regarding the availability of assistance. Relocation Advisors have attempted to speak with property owners and occupants to provided information about the available relocation assistance and have gathered general information about the replacement housing needs of the occupants.

Based upon the information available at the time this Plan was prepared, it is assumed that the property owners and occupants

- a) are able to communicate in English
- b) do not require additional assistance as a result of auditory or visual impairment
- c) do not have more than two people per bedroom
- d) are adults between the ages of 18 and 65
- e) do not rely on public transportation
- f) do not require replacement housing that would accommodate special needs
- g) would be able to relocate into housing in the area and have continued access to medical facilities, public transportation, employment, schools, places of worship

### 3.2 PHOTOGRAPHS OF POTENTIALLY IMPACTED HOMES

#### 976 Hearn Avenue, Santa Rosa

APN 043-191-018

Single Family Residence

2 bedrooms

1.5 bathrooms

1,556 square feet

\$2,450 Appraised Market Rent



North (Front) Exterior – View From Street



Northwest (Front) Exterior



Northeast (Front) Exterior – Single-Family Residence



Northwest (Front) Exterior – Single-Family Residence

#### 1004 Hearn Avenue, Santa Rosa

APN 043-191-020

Single Family Residence

2 bedrooms

2 bathrooms

1,467 square feet

\$2,100 Appraised Market Rent



Northeast (Front) Exterior – Single-Family Residence



Northwest (Front) Exterior – Single-Family Residence



Outbuildings At Rear Of Property



View West Along Hearn Avenue (Subject To Left)

### 3.3 OVERCROWDED CONDITIONS

Based on City staff and Relocation Advisor discussions with property owners, it has been determined that no household is currently living in overcrowded conditions. The City's Relocation Assistance Program provides assistance to ensure that all households who are required to permanently relocate are provided replacement housing that is sufficient in size to ensure that there are no more than two people in each bedroom and one person in the living room.



### **3.4 ACCESSIBILITY NEEDS**

Based on City staff and Relocation Advisor discussions with property owners, it is assumed that property occupants do not have mobility or health issues that would require modifications to a dwelling to ensure accessibility. However, if such needs are identified, City's Relocation Assistance Program will provide the funds needed to help make necessary accommodations. The Relocation Advisor will work closely with each household to ensure that replacement dwellings meet the special needs of persons required to relocate.

### **3.5 LANGUAGE ASSISTANCE NEEDS**

It is believed that all occupants are able to communicate fluently in English. If additional language assistance becomes necessary, the City will make every attempt to communicate with those households and to provide the necessary advisory assistance to secure a replacement site.

### **3.6 CURRENT HOUSING COSTS AND AFFORDABILITY**

The City's Relocation Assistance Program provides assistance for increased housing costs so that replacement housing is within each household's financial means.

Property owners have informed City staff and the Relocation Advisor that two properties are occupied by residential tenant households. One property owner reported that they collect no rent in exchange for the caretaking services provided. No additional information is available at this time to assess household income. The City's Relocation Assistance Program provides residential tenants with replacement housing payments to assist with renting comparable replacement housing.

### **3.7 TRANSPORTATION NEEDS**

It is believed that the occupants do not rely on public transportation. However, if public transportation is a necessity to a tenant, the Relocation Advisor will work closely with them to ensure their replacement dwelling is suitable for their needs.

## **4.0 REPLACEMENT SITE RESOURCES**

### **4.1 HOUSING OBLIGATIONS AND ASSURANCES**

The City's Relocation Assistance Program ensures that Relocation Advisors will work with residential occupants to identify and help secure comparable replacement housing within each household's financial means. This section of the Relocation Plan identifies potential replacement sites for residential occupants. The information on housing in the area is included as a general representation of available sites. The sites included herein may or may not be available when a household chooses to move.

Residential occupants will have the option to relocate to an area of their choice and into whatever type of housing they choose. The City will be responsible to assist each household to relocate into comparable replacement housing, which, for the purposes of this Relocation Plan, is determined to be housing in Santa Rosa that is comparable in size and structure to the existing homes and which accommodates the size of the household being displaced. All replacement housing must meet decent, safe, and sanitary requirements which are described as properties that are:

- a) structurally sound, weather-tight and in good repair.
- b) contain a safe electrical wiring system adequate for lighting and other devices.
- c) contain a safe heating system capable of sustaining a healthful temperature.
- d) adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced household. City has determined that no more than two persons should occupy a bedroom at the replacement site.
- e) contain unobstructed egress to safe, open space at ground level. If the home is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- f) free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling by an occupant who may be physically impaired.

The search for replacement sites was conducted within Santa Rosa in close proximity to the occupants' current neighborhood. Relocation within the community will ensure that the occupants will have similar access to public services, public facilities, transportation, and employment.

### **4.2 CONCURRENT RESIDENTIAL DISPLACEMENT**

There is no significant concurrent displacement in the City of Santa Rosa that is expected to impact housing options for the households. If the two households relocate to housing in Santa Rosa, the rental or purchase of replacement housing should not significantly impact the availability of housing for citizens searching for housing in the area.

### **4.3 TENANT OCCUPIED REPLACEMENT HOUSING**

The market for rental housing in the area is in high demand. It is reasonable to assume that occupants will be able to identify and secure comparable replacement housing in the community with City's Relocation Assistance Program.

### Comparable Replacement Housing Need

Current Housing Type in Project Area	Number of Comparable Replacement Housing Needed for Impacted Occupants
Two-Bedroom Single Family Residence	2
Other Housing	0
Total Homes Needed	2

A survey of available rental housing in Santa Rosa was conducted in December of 2021. The survey utilized internet web sites, property management websites, and driving surveys. Five two-bedroom properties were available for rent during a one-week period in December of 2021. Those properties were listed with rents between \$2,100 and \$3,500 per month. The survey was expanded to include 11 additional three-bedroom homes for rent within the same price range. Based on the information found in the housing survey, it appears there will be a sufficient supply of available replacement housing for the two households to consider as replacement housing options.

The listings below are provided as a sample of rental housing available in the area. No determination has been made as to the direct comparability of these homes to those being impacted by the Project. A Housing Study will be prepared for each household as the Project proceeds that will consider comparability and condition of available dwellings to the dwellings impacted by the Project.

#### ***Sample of Homes Available For Rent in Santa Rosa December 2021***

Address	Bedrooms	Rental Rate
916 Spencer Avenue, Santa Rosa	2	\$2,600
4951 Grange Road, Santa Rosa	2	\$3,500
98 Mountain View Avenue, Santa Rosa	2	\$3,200
2210 Mesquite Drive, Santa Rosa	2	\$2,100
841 Hoen Lane, Santa Rosa	2	\$2,800
1283 Giffen Place, Santa Rosa	3	\$2,800
2059 Medano, Santa Rosa	3	\$2,500
959 Kingwood Street, Santa Rosa	3	\$2,475
2047 Bluebell Drive, Santa Rosa	3	\$2,600
2450 Lakeview Drive, Santa Rosa	3	\$2,495
3101 Sonoma Avenue, Santa Rosa	3	\$2,650
5062 Charmian Drive, Santa Rosa	3	\$2,650
1394 Snowy Egret Drive, Santa Rosa	3	\$3,200
1220 Mayette Lane, Santa Rosa	3	\$3,475
2314 Aria Place, Santa Rosa	3	\$3,000
701 Powderhorn Avenue, Santa Rosa	3	\$2,950

## 5.0 RELOCATION ASSISTANCE PROGRAM

This portion of the Relocation Plan summarizes City's Relocation Assistance Program. This summary of benefits has been provided for general information purposes only and should not be interpreted as law.

### 5.1 GOVERNING REGULATIONS

While the Project is locally funded at this time, federal funds may be used should they become available. Therefore, City will administer the Relocation Assistance Program in accordance with Federal law 42 U.S.C. 4601 *et seq.* (URA) and implementing regulations found in 49 CFR Part 24, and applicable state laws and regulations found in California Government Code Section 7260 *et seq.* (CRAL), and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1. An explanation and application of these laws and guidelines follows.

This Relocation Plan uses various acronyms and jargon that may be unfamiliar to some readers. Therefore, the definitions of various terms and conditions have been presented in this section to provide the reader with a greater understanding of the Relocation Assistance Program available to the project occupants.

**5.1.1 Comparable Replacement Dwelling.** For the purposes of this Project, a general definition of a comparable replacement dwelling is a dwelling that is of similar size and type to the acquired dwelling. A more specific definition would include:

- a) Decent, safe, and sanitary as described below.
- b) Functionally equivalent to the displacement dwelling. The term "functionally equivalent" means that it performs the same function, provides the same utility, and is capable of contributing to a comparable style of living.
- c) In an area not subject to unreasonable adverse environmental conditions from either natural or human sources.
- d) Currently available to the project occupants.
- e) Within the financial means of the displaced person, either by their own means or through assistance from the City.

**5.1.2 Decent, Safe, and Sanitary (DS&S).** In order to meet decent, safe, and sanitary requirements, a replacement site must meet the following criteria:

- a) Be structurally sound, weathertight and in good repair.
- b) Contain a safe electrical wiring system adequate for lighting and other devices.
- c) Contain a safe heating system capable of sustaining a healthful temperature.
- d) Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. City has determined that this shall be interpreted to mean that no more than two persons shall occupy a bedroom and one in the living room at the replacement site.
- e) Contain unobstructed egress to safe, open space at ground level. If the home is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.

- f) For a person who is mobility impaired, be free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling by such person.

**5.1.3 Personal Property Moves.** It is believed that two property owners may own personal property that would need to be moved from the sites if purchased by the City. All persons who are required to move personal property for the Project shall be eligible for a Relocation Advisory Assistance and Move Cost Assistance.

**5.1.4 Eligible Residential Occupant.** It is believed that two residential tenant households live on two separate properties that may be acquired for the Project. One property owner explained that one tenant household serves as a caretaker and pays no rent in exchange for caretaker services they provide to the property owners. All persons who are legally occupying the homes in accordance with an agreement with the property owner and are required to move from their dwellings for the Project shall be eligible to receive Relocation Assistance benefits in accordance with the City's Relocation Assistance Program. Benefits may include Relocation Advisory Assistance, Move Cost Assistance, and Replacement Housing Payments.

Federal relocation law (URA) mandates that all persons must be legally present in the United States in order to be considered an eligible residential occupant or displaced person. State law does not provide a similar requirement. As a result, all persons will be asked to certify the status of legal presence. The City will provide assistance under whichever program is available to the displaced person.

## **5.2 RELOCATION ADVISORY ASSISTANCE**

A Relocation Advisor will work with each property owner with personal property and each eligible occupant living on the properties. The Relocation Advisor shall provide ongoing advisory assistance by helping the occupant to locate and secure replacement housing. In addition, the City and the Relocation Advisor shall ensure that each eligible occupant receives the following:

- a) Written documentation informing them of their rights and the availability of relocation assistance and benefits.
- b) Meetings with a Relocation Advisor who will help to ascertain replacement housing needs. The Relocation Advisor shall request documentation concerning length of occupancy, occupant income, agreements with the property owner regarding occupancy, and public assistance.
- c) A Letter of Entitlement that will explain the specific relocation benefits to which they are entitled. Relocation Advisors will submit Housing Valuation Studies to City staff to assess the cost of availability of comparable replacement housing. Consideration will be given to the condition of the dwellings and whether or not they compare favorably to the affected site. A determination will then be made as to the reasonable cost for each type of comparable replacement dwelling needed for the project. Each eligible residential occupant will then receive a Letter of Entitlement.
- d) Information on the availability of replacement housing in the area. Relocation Advisors will work closely with each eligible occupant to assess replacement housing needs and available housing in the area.
- e) A Relocation Advisor will be available to work with each eligible occupant. The Relocation Advisor will serve as a liaison between each occupant and prospective landlords, realtors,

and City staff. Relocation Advisors will help each occupant complete relocation claims that will be submitted to City for payment.

- f) Assurance that the City's Project shall be scheduled so that no eligible displaced person will be required to move from their dwelling without a written 90-day notice from City of the date by which such a move is required. The 90-Day Notice to Vacate will also include a list of referrals to available replacement sites in the area.
- g) Assurances that the City will hear and respond to any grievance against City in regard to relocation policies and procedures.
- h) Assurances that a Relocation Advisor will inspect replacement housing to ensure that the home meets decent, safe, and sanitary standards.
- i) Assurances that a Relocation Advisor will provide any services required to ensure that the relocation process does not result in different or separate treatment of occupants without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.
- j) Additional information and referrals to other local assistance programs in order to minimize hardships. When needed, referrals to housing, finance, employment, training, health and welfare, and other assistance programs will be provided.

The Relocation Assistance Program and individual attention to occupants will be adequate to ensure property owners and occupants receive full Relocation Advisory Assistance. Therefore, no relocation site office will be established.

### **5.3 MOVING COST ASSISTANCE FOR THOSE MOVING PERSONAL PROPERTY ONLY**

The City will cover actual, reasonable, and necessary costs associated with moving personal property from a property it acquires. Some property owners may own personal property at these properties. The City's Relocation Assistance Program can cover the cost to pack personal property, move items up to 50 miles, unpack the items, and insure the items against damage during the move. In some cases, the City may approve the cost to store personal property for up to 12 months. The City can reimburse moving costs under one or a combination of options.

**5.3.1 Professional Moving Assistance.** The City can reimburse actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. Eligible costs include the actual, reasonable, and necessary costs to pack, move, and unpack personal property up to 50 miles from the acquired property.

**5.3.2 Self-Move.** The City can reimburse the actual, reasonable, and necessary costs incurred to move personal property based on (1) the lower of two detailed professional moving estimates or (2) a review of documented move costs (invoices and receipts).

### **5.4 MOVING COST ASSISTANCE FOR PROPERTY OCCUPANTS**

The City will cover actual, reasonable, and necessary costs associated with moving personal property from a property it acquires. The City's Relocation Assistance Program can cover the cost to pack personal property, move items up to 50 miles, unpack the items, and insure the items against damage during the move. In some cases, the City may approve the cost to store personal property for up to 12

months. The City can reimburse moving costs under one or a combination of options.

**5.4.1 Professional Moving Assistance.** The City can reimburse actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. Eligible costs include the actual, reasonable, and necessary costs to pack, move, and unpack personal property up to 50 miles from the acquired property.

**5.4.2 Moving Cost Allowance.** An occupant may choose to move their own property to the replacement site and claim a payment under the federal Moving Cost Allowance Schedule. This allowance is in accordance with a schedule maintained by the Federal Highway Administration.

**Move Cost Allowance Schedule  
2021**

Occupant owns Furniture - Number of Rooms of Furniture									Occupant does not own furniture	
1 Room	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	Additional room	1 room no furn.	Add '1 room/ no furn.
\$725	\$930	\$1,165	\$1,375	\$1,665	\$1,925	\$2,215	\$2,505	\$265	\$475	\$90

**5.4.3 Documented Moving Receipts.** An occupant may choose to hire professionals to help with only a portion of the move and submit invoices for services.

**5.5 REPLACEMENT HOUSING PAYMENTS**

The City’s Relocation Assistance Program provides a Replacement Housing Payment to those who legally occupy a residential dwelling on a property acquired for a public project. Residential tenants who occupy a property can receive (1) a Rent Differential Payment or (2) Down Payment Assistance.

**5.5.1 Rent Differential Payment.** The Rent Differential Payment provides assistance with increased rent and utility costs at a comparable, decent, safe, and sanitary replacement dwelling for 42 months. If the occupant is low-income, a Rent Differential Payment can be used to make a replacement dwelling affordable to the occupant. 2021 income limits for Sonoma County are included in the table below.

Fiscal Year 2021 Income Limits Summary							
U. S. Department of Housing and Urban Development							
1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
\$65,150	\$74,450	\$83,750	\$93,050	\$100,500	\$107,950	\$115,400	\$122,850

A Relocation Advisor will prepare a Housing Study for the City’s review and approval. The Housing Study will identify the cost of comparable, decent, safe, and sanitary replacement housing in the area. The Relocation Advisor will then calculate each household’s maximum Rent Differential Payment based on the approved Housing Study and information provided by the household, landlords, and appraisers. In order to complete the calculation, the Relocation Advisor will need information such as a copy of the rental agreement, current utility costs, household income, documentation of any agreement with the property owner to collect little or no rent in exchange for services, and/or an appraiser’s analysis of market rent.

Eligible occupants can receive a Rent Differential Payment not to exceed \$7,200. Rent Differential Payments can only exceed \$7,200 if the occupant is determined to qualify for Housing of Last Resort under the City's Last Resort Housing Plan.

Each tenant household will receive a Conditional Entitlement Letter that describes all relocation benefits and the maximum Replacement Housing Payment to which the household is entitled. The Letter will also explain the “**spend to get**” requirement. The “spend to get” requirement means that benefit payments will be made by City only when the occupants demonstrate that entitlement amounts have been or will be spent. Rent Differential Payments must be used for reasonable and necessary expenses related to replacement housing.

**5.5.2 Down Payment Assistance.** An occupant may choose to use their Replacement Housing Payment to purchase a decent, safe, and sanitary dwelling. If the occupant chooses this option, they can work with their Relocation Advisor to have the City deposit funds into escrow to cover a down payment or non-recurring closing costs.

## **5.6 LAST RESORT HOUSING PLAN**

The City recognizes its obligations to provide comparable, decent, safe, and sanitary replacement housing (comparable housing) to residential occupants who are required to move for a public or publicly funded project (49 CFR 24.404).

It is anticipated that the two households impacted by the City's Project may experience a significant increase in rent and utility costs each month when they move from the property and rent comparable housing. The maximum statutory Rent Differential Payment is \$7,200 or \$171.43 per month for 42 months which may not be sufficient to ensure that comparable housing is within each household's financial means.

The City has considered its options for Housing of Last Resort under 49 CFR 24.404 including:

- A) Delaying the displacement of households until rent for comparable housing is available within each household's financial means, or
- B) Rehabilitating or developing comparable housing that can be rented to the households at a monthly rent that is within each household's financial means, or
- C) Providing Replacement Housing Payments in excess of \$7,200 as needed to ensure that comparable housing is available within each household's financial means.

The City has determined that the most reasonable option is to provide Replacement Housing Payments in excess of \$7,200 as needed to ensure that comparable housing is available within each household's financial means. It is not practical for the City to delay the Project until comparable housing can be rehabilitated or developed or until comparable housing rental rates are lower than current rental rates.

The City will consider Replacement Housing Payments in excess of \$7,200 on a case-by-case basis in accordance with its Relocation Assistance Program, review and approval of individual Housing Studies, and review of documentation presented by each occupant. Occupants will be required to provide documentation of current rent, utilities, income, and actual comparable housing costs.



## **5.7 THE APPEAL AND GRIEVANCE PROCESS**

In the event an occupant believes he or she has been denied an eligible benefit, or disputes the amount of any payment, or has been discriminated against in any manner, the occupant will be afforded an opportunity to file an appeal or grievance with City. An occupant should first contact their Relocation Advisor to see if the situation can be mutually resolved. If that remedy does not satisfy the occupant, the occupant can then present the appeal to the Real Estate Manager who can decide on the City's response. If the occupant does not agree with the Real Estate Manager's determination, the appellant can submit a request in writing for a hearing before the Relocation Appeals Board (Board). The Board shall transmit its findings and recommendations to its Secretary who will promptly issue a final written decision based on the findings and recommendations of the Relocation Appeals Board. If an occupant chooses to file an appeal, their Relocation Advisor can provide additional information on the appeals process in writing. All appeals must be filed within 18 months of the date that the occupant vacates the acquired site.

## **5.8 CLAIM PROCESSING AND DISTRIBUTION OF PAYMENTS**

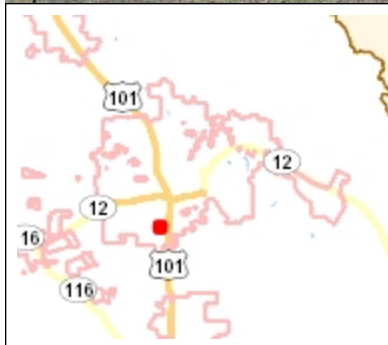
All claims are to be filed through the Relocation Advisor in accordance with the URA, the CRAL and implementing regulations. The Relocation Advisor will assist occupants in completing their claim forms and will notify occupants of the documentation needed. Each claim will be submitted to the City for review and processing. Checks will be available for approved claims within three weeks of the date all documentation is submitted to the Relocation Advisor. Checks will be delivered to the occupant or to the occupant's designee. The City can also deposit funds into an escrow account for occupants to use to purchase their replacement dwelling. The City shall provide advance payments whenever a later payment would result in financial hardship for the occupant.

## 6.0 APPENDIX

Map of the Fire Station and Municipal Use Project

Sample General Information Notice

Relocation Handbook



12/9/2021

Scale 1: 2,400





Date:

Addressee  
Address  
City, State, Zip

**CERTIFIED MAIL**

RE:     Hearn Avenue, SANTA ROSA, CA  
    APN \_\_\_\_\_  
**General Information Notice**

Dear \_\_\_\_\_:

The City of Santa Rosa (City) is interested in purchasing the property you occupy at \_\_\_\_\_ Hearn Avenue in Santa Rosa (Property) for a Fire Station project. The City is currently negotiating with the property owners to purchase the Property. If the City proceeds with the planned project and acquires the Property, you may be eligible to receive relocation assistance under applicable laws and regulations.

Persons who are required to move personal property or who are required to move from a residence, business, farm, or non-profit organization may be eligible to receive relocation advisory services and payments in accordance with federal and state relocation laws and local ordinances<sup>1</sup>. The City has retained Associated Right of Way Services, Inc. (AR/WS) to provide you with relocation advisory assistance. We invite you to meet with your Relocation Advisor, Ms. Karen Eddleman of AR/WS, who can provide additional information concerning the project and your rights to receive relocation assistance.

**This notice does not require you to move at this time.** This is not a notice to vacate. Please contact your Relocaiton Advisor before you make any moving plans. Failure to do so could jeopardize the relocation assistance that may be available to you.

The City's Relocation Assistance Program has been developed in accordance with federal and state relocation laws and local ordinances. The Relocaiton Assistance Program for eligible persons is briefly described below.

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<sup>1</sup>The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC §4601 *et seq.*) (Federal law), California Relocation Assistance Law, (Gov Code §7260 *et seq.*) (State Law), and local ordinances

**Relocation Advisory Assistance.** A Relocation Advisor will be available to help eligible persons through the relocation process. Relocation Advisors will provide information concerning eligibility for benefits, project scheduling, replacement sites, and claim processing.

**Moving Expenses.** Eligible persons may receive assistance with actual moving and related expenses.

**Replacement Housing Costs.** Eligible persons who are required to move from their residence may be eligible to receive assistance with replacement housing costs.

**Timing of Payments.** Fully documented relocation claims will be processed within 30 days of submission. The City will pay approved claims and will advise claimants if any portion of a claim is not approved.

**Your Right to Appeal.** Eligible persons may appeal to the City if they believe the City failed to properly determine eligibility or the amount of payment authorized by federal and state law or local ordinance. Eligible persons have the right to be represented by legal counsel, but legal representation is not required. An eligible person may seek judicial review if not satisfied with the City's determination.

The City will administer all services and benefits without regard to race, color, or national origin, in compliance with Title VI of the 1964 Civil Rights Act. Federal law requires persons seeking federally funded relocation assistance to certify that they are a United States citizen or national, or an alien lawfully present in the United States. Relocation Advisors will discuss whether alternative, non-federal assistance may be available for eligible persons who are not able to document residency status.

Please contact Ms. Karen Eddleman to discuss the project and the City's Relocation Assistance Program. Ms. Eddleman is available to meet with you by phone, virtual meeting, or in person. You can reach her by calling 925-691-2812 or by email at [KEddleman@arws.com](mailto:KEddleman@arws.com).

Thank you for working with us as we plan for this important project.

Sincerely,

Jill Scott  
Real Estate Manager  
City of Santa Rosa  
[jscott@srcity.org](mailto:jscott@srcity.org)  
707-543-4246  
707-339-1526

This General Information Notice was sent via USPS  
First Class Certified Mail (Return Receipt Requested)  
on \_\_\_\_\_.

Signature: \_\_\_\_\_

cc: Karen Eddleman, AR/WS

# Relocation Assistance Handbook

## Residential Occupants

A Summary of the City of Santa Rosa's  
Relocation Assistance Program  
for Federal and Federally Assisted Programs

December 2021

This handbook is presented as a courtesy of the City of Santa Rosa and is intended to provide general information concerning the Relocation Assistance Program that may be available for persons who are required to move from their homes for federal and federally assisted public projects.

# Relocation Assistance for Residential Occupants For Federal and Federally Assisted Programs

Oftentimes, properties that are needed for a public project are occupied by residents, businesses, farms, or non-profit organizations. The City of Santa Rosa (City) is in the process of planning its project and has determined that certain properties currently occupied by owners or tenants may be required for project construction. Such properties may be appraised in accordance with applicable state and federal laws, and a formal written offer may be presented to the owner of the real property. The City will notify occupants promptly after it initiates negotiations for the purchase of the property so that the occupants are fully informed of the efforts to acquire the property and the possibility that the occupants may be required to move to allow for the project's development. In order to protect the rights of the occupants, the law provides that occupants can become eligible to receive relocation assistance as soon as the City initiates negotiations with the property owner.

If a negotiated settlement cannot be reached with the property owner, City staff may request its City Council to adopt a Resolution of Necessity, which authorizes the City Attorney's Office to initiate an eminent domain action.

In the event it is determined that an occupied property is required for construction of a project, the City will seek to minimize the impact caused by its project by providing impacted occupants with assistance in accordance with its established Relocation Assistance Program that includes personal relocation advisory assistance and monetary benefits for eligible displaced persons. The City of Santa Rosa City Council adopted federal and state relocation laws and regulations to ensure that uniform, fair and equitable treatment is afforded to persons displaced as a result of its projects:

- |   |  |
|---|--|
| <b>Federally Funded Projects:</b>         | U.S. Code, Title 42, Chapter 61(URA)<br>49 Code of Federal Regulations Part 24   |
| <b>State and Locally Funded Projects:</b> | California Government Code Section 7260, et seq. (CRAL)<br>California Code of Regulations, Title 25, Chapter 6, §6000, et seq. |

If a planned project may require an occupant to move, a Relocation Advisor will work with the occupant throughout the process to provide detailed information, answer specific questions, and assist in finding a replacement site. Occupants should make full use of their services.

This brochure broadly summarizes the City of Santa Rosa's Relocation Assistance Program for Residential Occupants. It describes the principal provisions of relocation legislation. Relocation regulations can be complicated and difficult to interpret. Therefore, persons reading this brochure are urged not to form advanced opinions as to the benefits and amounts to which they may receive. Strict requirements must be met before program eligibility can be established and benefit amounts are determined.

Premature action may jeopardize eligibility for a relocation payment.

## Definition of Terms

This Relocation Assistance Handbook incorporates certain language that may be unfamiliar to the reader. Therefore, the following terms have been defined in federal regulations and are summarized below. Please refer to 49 CFR 24.2 for a more detailed presentation of definitions.

**Comparable Replacement Dwelling.** A dwelling that is of similar size and type to the acquired dwelling. A replacement dwelling must be:

- Decent, safe, and sanitary as described below.
- Functionally equivalent to the displacement dwelling. The term “functionally equivalent” means that it performs the same function and provides the same utility.
- Adequate in size to accommodate the occupants.
- In an area not subject to unreasonable adverse environmental conditions.
- In a location generally not less desirable with respect to public utilities and commercial and public facilities, and reasonably accessible to the occupant’s place of employment.
- On a site that is typical in size for residential development with normal site improvements and customary landscaping.
- Currently available to the displaced person on the private market. Persons receiving government housing assistance will be provided housing based upon housing program criteria.
- Within the financial means of the displaced person:
  - For a homeowner, a dwelling is considered to be within their financial means if they receive Replacement Housing Payments.
  - For a tenant occupant, a dwelling is considered to be within their financial means if they receive Replacement Housing Payments.
  - For low-income tenant households (based on the U.S. Department of Housing and Urban Development income limits) a dwelling is considered housing if costs do not exceed 30% of the household’s average monthly income.
  - For a low-income tenant occupant household, either by the displaced person’s own means or through assistance from the Relocation Program.

**Decent, Safe, & Sanitary (DS&S).** In order to meet decent, safe, and sanitary requirements, a replacement site must meet the following criteria:

- Be structurally sound, clean, weather tight, in good repair, and adequately maintained.
- Contain a safe electrical wiring system adequate for lighting and other devices.
- Contain a safe heating system capable of sustaining a healthful temperature.
- Be adequate in size, with respect to the number of rooms and area of living space, to accommodate the displaced persons.
- Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.
- Contain unobstructed egress to safe, open space at ground level. If the dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- Be free of any barriers which prevent reasonable ingress, egress, or use of the dwelling by such displaced person.

**Displaced Person/Occupant.** Any person who moves from the real property or moves his or her personal property from the real property as a direct result of a written notice of intent to acquire, the initiation of negotiations for, or the acquisition of such real property in whole or in part.



**Dwelling.** Dwelling is the place of permanent or customary and usual residence of a person, according to local custom or law, including a single-family house; a single-family unit in a two-family, multi-family or multi-purpose property; a unit of a condominium or cooperative housing project; a non-housekeeping unit; a mobile home or other residential unit.

**Household Income.** The total gross income received for a 12-month period from all sources (earned and unearned). Household income does not include program benefits that are not considered income by federal law such as food stamps and Women Infants Children (WIC) program. For detailed exclusions published by FHWA, please see [https://www.fhwa.dot.gov/real\\_estate/policy\\_guidance/exclusions.cfm](https://www.fhwa.dot.gov/real_estate/policy_guidance/exclusions.cfm).

**Initiation of Negotiations (ION).** The date of delivery of the initial written offer of just compensation by the City to the owner or the owner’s representative to purchase the real property for the project. If the City issues a notice of its intent to acquire the real property, and a person moves after that notice, but before delivery of the initial written purchase offer, the initiation of negotiations means the actual move of the person from the property.

**Legal Residency.** Each displaced person seeking relocation payments or relocation advisory assistance shall, as a condition of eligibility, certify lawful presence in the United States. Occupants should speak with a Relocation Advisor if they cannot provide certification. Such occupants may be eligible for benefits through alternative assistance under the Relocation Program.

**Low-Income Household.** The U. S. Department of Housing and Urban Development’s Annual Survey of Income Limits for the Public Housing and Section 8 Programs identifies income levels for metropolitan areas [Income Limits | HUD USER](#). Tenant households who can document that their total average gross household income is classified as “low income” may be eligible to receive additional housing assistance. In order for a household to qualify as “low income” in Santa Rosa, Sonoma County the gross household income must be at or below the following levels:

Fiscal Year 2021 Income Limits Summary							
U. S. Department of Housing and Urban Development							
1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
\$65,150	\$74,450	\$83,750	\$93,050	\$100,500	\$107,950	\$115,400	\$122,850

**Owner of a Dwelling.** A person who is considered to have met the requirements to own a dwelling if the person holds any of the following interests in that real property:

- Fee title, a life estate, a land contract, a 99-year lease or a lease including any options for extension with at least 50 years to run from the date of acquisition; or
- An interest in a cooperative housing project which includes the right to occupy a dwelling; or
- A contract to purchase any interest or estate; or
- Any other interest, including a partial interest which, in the judgment of the City, warrants consideration as ownership.

**Person Not Displaced.** Federal regulations provide a list of persons who do not qualify as eligible displaced persons which includes persons who move before the initiation of negotiations, persons who occupy the property after it is acquired, persons who occupy for the purpose of obtaining assistance, a person who is not required to relocate permanently, a person who is not required to relocate as a result of a partial acquisition of real property, persons who are notified in writing that eligibility for relocation assistance has been rescinded, an owner-occupant who voluntarily conveys property after being fully informed that the City will not seek to

condemn the property, a person who is determined to be an unlawful occupant, or a person who is not legally present in the United States.

**Tenant.** A person who has the temporary use and occupancy of real property owned by another.

**Unlawful Occupant.** A person who occupies without property right, title or payment of rent, or a person legally evicted, with no legal rights to occupy a property under state law. A person who is determined to be in unlawful occupancy prior to or after the ION, or a person who has been evicted for cause, under applicable law.

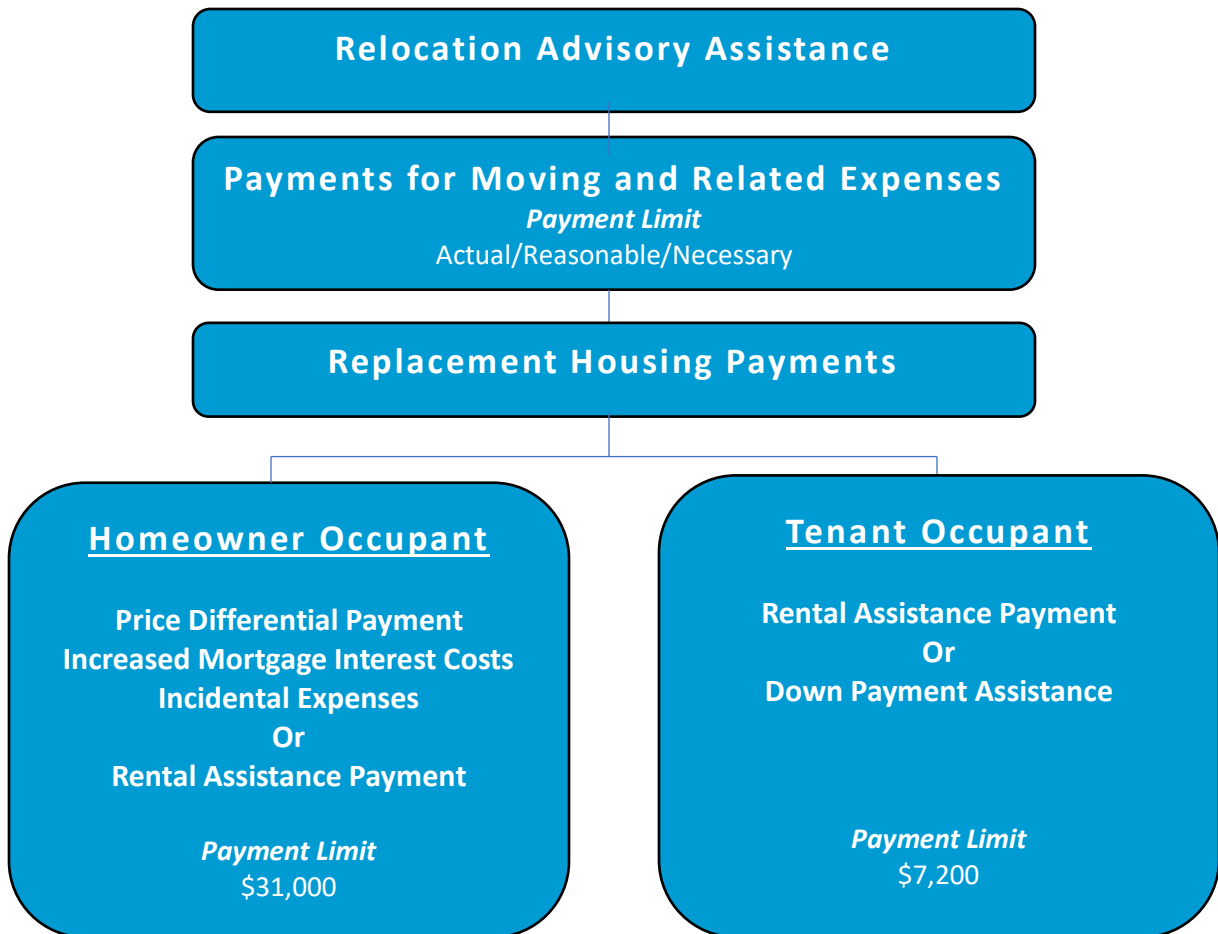
# City of Santa Rosa's Relocation Assistance Program For Federal and Federally Assisted Programs

State and federal law require that the City of Santa Rosa (City) adequately plan for how the Project might impact the community and occupants who may be required to relocate to allow for Project development. Therefore, the City attempts to engage property occupants early in the planning process in order to provide information about the Project, potential impact, and available relocation assistance services. Displaced persons can become eligible to receive relocation assistance as soon as the City initiates negotiations with the property owner.

In accordance with federal law and the City's Relocation Assistance Program, the City offers displaced persons both Advisory Services and Payments for eligible relocation costs. The City's Relocation Assistance Program is broadly summarized on the following pages. Occupants are encouraged to speak with a Relocation Advisor and to read specific details in the regulations found in 49 CFR 24.

Please understand that this is a summary of the assistance that may be available to eligible displaced persons and, therefore, does not anticipate every circumstance or question regarding the Relocation Program.

## Relocation Assistance Program for Eligible Residential Occupants



*Note: Households may qualify for Replacement Housing of Last Resort which may provide Replacement Housing Payments which exceed payment limits stated above.*

## Relocation Advisory Assistance

The City contracts with experienced Relocation Advisors who will work with each displaced person to provide assistance throughout the planning and moving process. A Relocation Advisor will meet with each eligible displaced person to explain the Relocation Program and to learn more about the occupant's current housing and replacement site needs. The Advisor will deliver written information regarding eligible benefits and available replacement sites as sites become available.

The City's goal is for each occupant to successfully relocate back into the community. It is important that an occupant actively participates in the relocation process, searching for viable replacement sites, and working closely with a Relocation Advisor to plan for the relocation.

All displaced persons shall receive appropriate noticing that helps them understand the available benefits and the project schedule. A Relocation Advisor will assist in the search for comparable, decent, safe, and sanitary replacement housing that is available to the occupant and is within the household's financial means. Transportation will be offered to inspect housing referrals, if needed. An eligible occupant cannot be required to move unless at least one comparable replacement dwelling has been made available and the occupant has been given at least 90 days' advance written notice of the date by which they would be required to move. A Relocation Advisor will also prepare claim forms on behalf of each household and will help to file those claims for reimbursement under the Relocation Program.

Eligible displaced persons will be provided advisory assistance which may include assistance in the referral of complaints of discrimination to the appropriate federal, state, or local fair housing enforcement agency. Relocation Advisors can also act as a resource to possible sources of funding and assistance from other local, state, and federal agencies and will make every effort to help secure the services of those agencies with trained personnel who have the expertise to help.

## Payments for Moving and Related Expenses

Each eligible displaced person is entitled to receive a moving payment to cover the cost to move personal property to a replacement home. The Relocation Program covers specific costs related to the move. Each household may elect one or a combination of the following three options for cost reimbursement:

*One or a combination of the following*

<b>Commercial Move</b>  <i>Payment Limit</i> <i>Actual/Reasonable/Necessary</i>	<b>Fixed Moving Payment</b>  <i>Payment Limit</i> FHWA Move Schedule	<b>Actual Cost Move</b>  <i>Payment Limit</i> Invoices and Receipts
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**Commercial Move.** Payment is made to reimburse actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. Compensable costs include all reasonable costs to pack, move, and unpack all personal property for a distance up to 50 miles. A direct payment can be made to the professional moving carrier under this option and will allow reimbursement to the displaced household for any one-time utility reconnection fees, such as phone, gas, electric, and cable.

**Fixed Move Payment.** A household may choose to move their own personal property to the replacement site and to submit a claim based on the following schedule.

Occupant Owns Furniture									Occupant does not own furniture	
Number of Rooms of Furniture								Addt'l room	1 room/ no furn.	Additional room no furn.
1 room	2 rooms	3 rooms	4 rooms	5 rooms	6 rooms	7 rooms	8 rooms			
\$725	\$930	\$1,165	\$1,375	\$1,665	\$1,925	\$2,215	\$2,505	\$265	\$475	\$90

**Actual Cost Move Based on Receipts.** Payment is based upon receipted bills for labor and equipment. Hourly labor rates should not exceed the cost paid by a commercial mover. Equipment rental fees should be based on the actual cost of renting the equipment, but not exceed the cost paid by a commercial mover. This option allows the household to be reimbursed for any one-time utility reconnection fees, such as phone, gas, electric, and cable. The City will participate in costs related to moving the occupant up to 50 miles.

**Storage Costs.** A displaced person may be reimbursed for certain costs to store personal property in a professional storage facility for a period not to exceed 12 months. The need for such storage must be pre-approved by the City and determined to be reasonable and necessary. Only property that is currently located at the affected site would be eligible for storage cost reimbursement. This option is available to persons who do not choose to be reimbursed under the Fixed Moving Payment.

## Replacement Housing Payments

Replacement Housing Payments are available to eligible displaced persons to ensure that decent, safe, and sanitary comparable replacement housing is available within their financial means. The type of replacement housing payment an occupant is eligible to receive depends on whether an occupant owns or rents a dwelling. To be fully eligible to receive Replacement Housing Payments, occupants must have legally occupied the dwelling 90 days or more prior to the initiation of negotiations. Persons who have occupied the dwelling for less than 90 days prior to initiation of negotiations could possibly become eligible for program benefits once the City is able to acquire the property and close escrow.

A Housing Study will be prepared to determine the cost of a comparable replacement dwelling. Each household will receive a Conditional Entitlement Letter that describes all relocation benefits and the maximum Replacement Housing Payment to which the household is entitled. Replacement Housing Payments will be made only when the household demonstrates that entitlement amounts have been or will be spent to purchase or rent comparable, decent, safe, and sanitary replacement housing.

<b>Replacement Housing Payments</b>	
<b>Homeowner Occupant</b>	<b>Tenant Occupant</b>
Price Differential Payment Increased Mortgage Interest Costs Incidental Expenses Or Rental Assistance Payment	Rental Assistance Payment Or Down Payment Assistance
<b>Payment Limit</b> \$31,000	<b>Payment Limit</b> \$7,200
<i>Note: Households may qualify for Replacement Housing of Last Resort which may provide Replacement Housing Payments which exceed payment limits stated above.</i>	

Relocation Advisors will provide continuing information concerning available, comparable replacement dwellings in the area. Occupants may choose to purchase or rent a replacement dwelling that is decent, safe, and sanitary in whatever community they choose. Occupants must work with a Relocation Advisor to coordinate an inspection of the replacement property prior to the occupant making a commitment to purchase or rent the dwelling.

An occupant may also be eligible for additional monetary assistance through the City's Last Resort Housing Program. A Relocation Advisor will thoroughly explain the program and assess an occupant's potential eligibility.

**Homeowner-Occupants.** If a homeowner has owned and occupied a dwelling for at least 90 days immediately prior to the initiation of negotiations for a property, the homeowner may be eligible to receive a payment of up to \$31,000 to assist with the increased cost to purchase a comparable, decent, safe, and sanitary replacement dwelling. This payment is in addition to the amount the City pays for the purchase of the property. The City will compute the maximum payment a homeowner is eligible to receive. A homeowner must purchase and occupy a replacement dwelling within one year from the date of purchase of the displacement dwelling by the City. A homeowner occupant's Replacement Housing Payment has three components:

1. **Price Differential Payment** – is a payment made for the difference between the cost of a comparable replacement dwelling and the cost the City pays for the acquired property; and
2. **Mortgage Interest Differential Payment** – the amount which covers the increased interest costs, if any, required in financing a replacement dwelling. To be eligible, the acquired dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 90 days immediately prior to the initiation of negotiations; and
3. **Incidental Expenses Payment** – for one-time incidental costs related to the purchase of a comparable replacement dwelling, such as escrow fees, recording fees and credit reports. Recurring expenses such as prepaid taxes and insurance premiums are not compensable. Some incidental expenses are pro-rated.

An owner-occupant, who **chooses to rent rather than purchase** a replacement dwelling, may be eligible to receive a rental assistance payment of up to the amount available under the Price Differential Payment option, explained above. The payment would be based on the difference between the monthly economic rental value of the occupied dwelling and the amount of monthly rent required for a comparable replacement dwelling, as determined by the City, multiplied by 42.

**Tenant-Occupants.** Tenants (and certain owners in occupancy for less than 90 days) may be eligible for a payment of up to \$7,200 to assist in renting or purchasing a comparable replacement dwelling. This payment is designed to enable an occupant to rent a comparable decent, safe, and sanitary replacement dwelling for a 42-month period. If an occupant qualifies, and **wishes to rent** a replacement dwelling, the maximum rental assistance payment will be based on the difference, over a 42-month period, between the monthly rental cost (including utilities) of a comparable replacement dwelling and the **lesser of** current average rent and utilities or thirty percent (30%) of the household’s average monthly household income. The assistance is calculated as shown below and is available to help with actual increased housing costs for 42 months. This amount will be paid directly to the tenant or to the tenant’s designee.

If the tenant is determined to be low-income, they may receive additional assistance to secure housing.

<b>Computation for Monthly Replacement Housing Payments</b>	
<i>Lesser of:</i>	
Cost to Rent Comparable Replacement Housing + Estimated Utility Costs	or
The Actual Cost to Rent Comparable Replacement Housing + Estimated Utility Costs	
<i>Minus the Lesser of Base Monthly:</i>	
Current Rent + Average Monthly Utilities	or
30% of the Household’s Gross Monthly Income <b>if household is “Low Income”<sup>1</sup></b>	or
Market Rent if Household Pays Little or No Rent	

Eligible tenant-occupants may choose to purchase (rather than rent) a replacement dwelling. The Replacement Housing Payment can be converted into a down payment to purchase a decent, safe, and sanitary replacement home within one year of the date the household moves from the acquired property. The amount of the down payment shall not exceed the amount of a reasonable down payment for a comparable dwelling plus expenses incident to the purchase. For additional information regarding this payment option, please speak with a Relocation Advisor.

## Replacement Housing of Last Resort

Replacement Housing of Last Resort is a program that allows for the implementation of certain regulations to ensure that comparable, decent, safe, and sanitary replacement housing is within the financial means of the displaced person. Last Resort Housing is a procedure wherein the Replacement Housing Payment may exceed the indicated monetary limits above to enable a displaced person to relocate to comparable, decent, safe, and sanitary replacement housing within their financial means. The City has considered several methods to provide Replacement Housing of Last Resort to qualified displaced persons:

1. Provide supplemental funds in excess of the standard limit to allow occupants to replace their current home with a comparable, affordable dwelling. All payments are based on the most comparable replacement property as approved in the Housing Study. As with all other replacement housing payments, displaced occupants must meet requirements in order to claim payments.

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<sup>1</sup> As determined by the U.S. Department of Housing and Urban Development’s Annual Survey of Income Limits that determine eligibility for assisted housing programs (<https://www.huduser.gov/portal/datasets/il.html>)

2. New replacement housing could be constructed, existing housing could be rehabilitated, or funds could be provided for private parties to rehabilitate existing units for occupancy by displaced households.
3. Provision of a Housing Voucher or other subsidized housing option.

The City will consider Replacement Housing Payments in excess of \$7,200 on a case-by-case basis in accordance with its Relocation Assistance Program, review and approval of individual Housing Studies, and review of documentation presented by each occupant. Occupants will be required to provide documentation of current rent, utilities, income, and actual comparable housing costs.

All households who are eligible to receive assistance under Replacement Housing of Last Resort, will be notified in writing. Typically, this information is included in the Conditional Entitlement Letter.

## Additional Program Information

**Claim Processing and Distribution of Payments.** All claims are to be filed through a Relocation Advisor. The Relocation Advisor will assist in completing claim forms, will notify each displaced person of the documentation needed in order to file the claim, and will inspect all displacement and replacement properties as needed. Each claim will be submitted to the City along with documentation for review and processing.

The time limit to file claims with the City is 18 months from the later of (1) the date on which the claimant receives final payment for the real property or, (2) the date which the property is vacated. Approved, fully documented claims submitted to the City are typically paid within 30 days. Checks will be delivered to the household or to the household's designee. Advance payments may be provided, on a case-by-case basis, when a later payment would result in financial hardship.

**Appeal and Grievance Process.** Displaced persons have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, payment amounts, or the failure to provide comparable replacement housing referrals or the City and/or the City's property management practices. If a displaced person chooses to file a grievance, they should contact their Relocation Advisor for additional information.

**Eviction Policy.** It is important that each tenant-occupant continues to pay rent to their current landlord. Should an occupant be evicted for failure to meet any tenant obligations or for violating the terms and conditions of their lease or rent agreement, the evicted tenant would not be considered a "displaced person" and, therefore, would not be eligible to receive relocation assistance payments.

If the City takes possession of the property, the household will be required to pay rent in accordance with the existing rental agreement. Failure to pay rent can result in a deduction from payments owed to the household and/or eviction. If a household receives a Notice to Vacate and the City is required to take legal action to move the household from the property, they will seek rent and damages.

**Relocation Payments are Not Considered Income.** 49 CFR 24 states that no relocation payment received by a displaced person shall be considered as income for the purpose of the Internal Revenue Code of 1986 (Title 26, U. S. Code), or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act (42 U. S. Code 301 et seq.) or any other federal law, except for any federal law providing low-income housing assistance. Occupants should always consult their tax advisor for current tax information.



**This is Not a Notice to Vacate.** No eligible household will be required to move until/unless comparable, decent, safe, and sanitary replacement housing is available within the household's financial means, and they have received at least 90-days advance written notice of the date by which they must vacate.

## **Title VI – the City's Non-Discrimination Policy**

Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency. Any person who believes that they have been excluded from, denied the benefits of, or been subjected to discrimination may file a written complaint with the City. Federal and state law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident. To request additional information on the City's non-discrimination obligations or to file a Title VI Complaint please contact your Relocation Advisor.

Should language assistance be required, it will be provided at no cost. A Relocation Advisor can arrange assistance for language assistance upon request.

## **Fair Housing Laws**

Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968 set forth the policy of the United States to provide, within constitutional limitations, fair housing throughout the United States. These Acts and Executive Order 11063 make discriminatory practices in the purchase and rental of residential units illegal if based on race, color, religion, sex, or national origin.

Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary housing, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require the City to provide a person a larger payment than what may already be necessary to enable a person to relocate to a comparable replacement dwelling.

Please understand that this is a summary of the assistance that may be available to eligible displaced persons. No summary relocation law can anticipate every circumstance or question regarding the Relocation Program. It is important that each household works closely with a Relocation Advisor to identify any special circumstances that need to be addressed when searching for replacement housing. No household should commit to renting or purchasing a replacement dwelling until the home has been inspected by a Relocation Advisor. A Relocation Advisor is available to assist in the relocation process and will explain each person's rights and help to obtain the relocation payments and other assistance for which they are eligible.

