

**ALABAMA DEPARTMENT OF
TRANSPORTATION**

RELOCATION ASSISTANCE PROGRAM



**Your Rights and Benefits as a Displaced
Person**

NOTE TO ALL RECIPIENTS

This brochure is issued for
information purpose only.
It does not have the force
of law, rule or regulation

**ALABAMA
DEPARTMENT OF TRANSPORTATION**

**STATE OF ALABAMA
DEPARTMENT OF TRANSPORTATION**

RIGHT OF WAY BUREAU

(Effective October 1, 2014)

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SOME IMPORTANT DEFINITIONS

INTRODUCTION

The building of modern transportation systems often requires the displacement of a small percentage of the population. It is the Agency's policy that the persons displaced shall be provided uniform and equitable treatment.

This brochure provides general information to acquaint you with the available relocation services and benefits.

If you are required to move as a result of a publicly funded construction project, you may be eligible for relocation assistance advisory services and relocation payments as provided by Federal and State Law. A relocation agent assigned to assist you can answer your specific questions and provide additional information.

AGENCY

Relocation assistance advisory services and payments are administered at the local level by an Agency responsible for the acquisition of real property and/or the displacement of people from property to be used for a construction project. The Agency may be a Federal agency, a State agency, a local agency, such as a county or a city, or a person carrying out a program or project with Federal financial assistance. The Agency may contract with a qualified individual or firm to administer the relocation program, but the Agency remains responsible for the program.

ALIEN NOT LAWFULLY PRESENT

Public Law 105-117 provides that if a displaced person is an alien not lawfully present in the United States such person **shall not** be eligible for relocation payments or assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. 4601-4655), unless such ineligibility would result in exceptional and extremely unusual hardship to the alien's spouse, parent or child, and such spouse, parent or child is a citizen or an alien lawfully admitted for permanent residence.

BUSINESS

Any lawful activity, except a farm operation, conducted primarily for the purchase, sale, lease and rental of personal and real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of the Uniform Act, an outdoor advertising display or displays, when the display(s) must be moved as a result of the project.

DISPLACED PERSON

Any person (individual, family, partnership, association or corporation) who moves from real property, or moves personal property from real property as a direct result of (1) the acquisition of the real property, in whole or in part, (2) a written notice of intent to acquire from the Agency, (3) the initiation of negotiations for the purchase of the real property by the Agency, or, (4) a written notice requiring a person to vacate real property for the purpose of rehabilitation or demolition of the improvements, provided the displacement is permanent and the property is needed for a project.

DWELLING

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 any other residential unit.

FARM OPERATION

Any activity conducted solely or primarily for the production of one or more agricultural products or commodities including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

INITIATION OF NEGOTIATIONS

The delivery of the initial written offer to the owner of the real property, or his or her representative, of the amount determined to be just compensation for the property to be acquired. Where a person moves after the Agency issues a notice of intent to acquire real property, but before delivery of the initial written purchase offer, the "initiation of negotiations" is the date the person moves.

NONPROFIT ORGANIZATION

A public or private entity that has established its nonprofit status under applicable Federal or State law.

SMALL BUSINESS

A business having not more than 500 employees working at a site which is the location of economic activity and which will be acquired for a program or project, or is displaced by a program or project. A site occupied solely by an outdoor advertising sign(s) does not qualify for purposes of the reestablishment expense payment.

RELOCATION ASSISTANCE ADVISORY SERVICES

Any individual, family, business, farm, or nonprofit organization displaced by a project shall be offered relocation assistance services for the purpose of locating suitable replacement property. Relocation services are provided by qualified personnel employed by the Agency.

RESIDENTIAL ASSISTANCE

A relocation agent for the Agency will contact you personally to explain the relocation services and payments in accordance with your eligibility. During this interview, your housing needs and desires will be determined as well as your need for assistance.

You cannot be required to move unless the agency informs you of the location of at least one comparable replacement dwelling. Every effort will be made to offer assistance to minimize hardships encountered in searching for replacement property. This includes transportation to inspect potential replacement housing we have referred to you. The department will not require you to move from your existing dwelling for at least 90 days after comparable replacement housing has been made available to you. This is a reasonable time period to allow you to enter into a purchase agreement or lease and occupy replacement property.

Please remember, the relocation agent assigned to you is there to help and advise you. Be sure to ask questions to ensure that you fully understand all of your rights and relocation benefits.

BUSINESS, NONPROFIT ORGANIZATION & FARM ASSISTANCE

A Relocation Agent for the Agency will contact you personally to explain the relocation services and payments in accordance with your eligibility. This interview will determine your needs and replacement site requirements and estimate the time needed to accomplish the move. If you anticipate any problems it is important to explain them to the Agent.

The relocation agent will ask questions to determine your financial ability to accomplish the move, including lease terms and other obligations. They will also help determine the need for an outside specialist to plan, move, and reinstall personal property. The agent will identify and resolve any issues regarding what is real estate and what is personal property to be relocated.

Every displaced business, nonprofit organization and farm will be offered assistance to minimize economic harm and to increase the likelihood of being able to relocate back into the affected community. The agent will also explore and provide advice as to possible sources of funding and assistance from other local, state, and federal agencies. In addition, as needed, the relocation agent will maintain listings of commercial properties and farms.

IMPORTANT: *To ensure qualification of your maximum eligibility for relocation payments, notify your relocation agent before moving or making a commitment to buy or rent replacement property.*

INFORMATION FOR PERSONS DISPLACED FROM A RESIDENCE



This information is provided only for persons displaced from their permanent place of residency.

MOVING COST REIMBURSEMENT

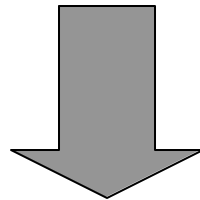
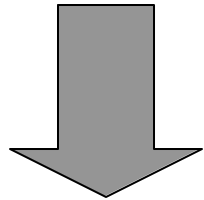
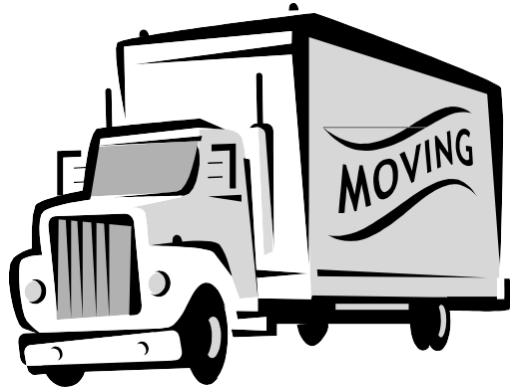
Individual and Families

If you qualify as a displaced person, you are entitled to reimbursement of your moving cost and certain related expenses incurred in moving.

Displaced individuals and families may choose to be paid on the basis of documented actual, reasonable moving cost and related expenses **or** according to a fixed moving cost schedule. However, to assure your eligibility and prompt payment of moving expenses, you should contact your relocation agent from the Agency before you move.



You Can Choose Either:



Actual Reasonable Moving Cost

Including:

Packing and Unpacking
Temporary Storage
Transportation
Moving Insurance
Other Related Cost

or

Fixed Moving Cost Schedule

Up to:

Based upon the number of rooms in the displaced dwelling.

Actual Reasonable Moving Cost

You may be paid the actual reasonable moving cost and related expenses for a move performed by a professional mover **or** for a move performed by yourself. Reimbursement will be limited to a 50-mile distance in most cases. Related expenses include:

- Packing and unpacking of personal property.
- Disconnecting and reconnecting household appliances.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Transfer of telephone service and other similar utility reconnections.
- Other expenses considered eligible by the Agency

Your moving expenses must be supported by paid receipts or other evidence of expenses incurred and must be necessary and reasonable as determined by the agency.

Mobile Home Moves

Mobile home owners are eligible for the cost of moving their mobile home up to 50 miles. Eligible cost includes detaching and reattaching fixtures, appliances and appurtenances. Reimbursement is made on the basis of paid or billed receipts. In addition, a payment of \$50.00 per room may be made for packing and securing personal property for the move.

Fixed Moving Cost Schedule

You may choose to be paid on the basis of a fixed moving cost schedule. The amount of this payment is based on the number of rooms in your dwelling. The fixed moving schedule is shown below. This schedule is designed to cover all moving expenses. If you choose this option, you are not eligible for reimbursement of expenses outlined in Actual Reasonable Moving Cost.

Effective August 24, 2015

Moving Cost Schedule							
Occupant owns furniture							
Number of Rooms of Furniture							
1	2	3	4	5	6	7	8
600	800	1000	1200	1400	1600	1800	2000
Each Additional Room - \$200							
Occupant does not own furniture							
First Room				Each Additional Room			
\$400				\$50			

Occupants moving from a dormitory and who have a minimal amount of personal property are limited to a total moving payment of \$100.

REPLACEMENT HOUSING PAYMENTS

The replacement housing payment is meant to compensate you for the increase in housing cost caused by the acquisition of your dwelling.

This payment is determined by the amount that the cost of a comparable decent, safe and sanitary replacement dwelling exceeds the cost of your displacement dwelling.

Replacement housing payments can be better understood if you become familiar with the definitions of the following terms: “comparable” and “decent, safe and sanitary” (DSS).

IMPORTANT: Remember that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards. Do not execute a sales contract or a lease agreement until personnel from the Alabama Department of Transportation have inspected and certified that the dwelling meets the basic standard.

Comparable Replacement Dwelling

A comparable replacement dwelling is one that is decent, safe and sanitary and is functionally equivalent to your present dwelling. While it is not necessary to possess every feature of your dwelling, the replacement should have the principal features and provide the same utility. In addition, a comparable replacement dwelling should be:

- Adequate in size to accommodate you and your family
- Located in an area that is not subject to unreasonable adverse environmental conditions.
- Located in an area that is not less desirable than your present location with respect to public utilities and commercial and public facilities.
- In a location reasonably accessible to your place of employment.
- Located on a site that is typical in size for residential development with normal site improvements.
- Currently available on the private market
- Within your financial means

Financial Means

For a homeowner, if a purchase supplement is needed and provided, in addition to the acquisition price for your dwelling, then the replacement dwelling is considered to be within your financial means.

For a tenant, the monthly rent and estimated average monthly utility cost for a comparable replacement dwelling is considered to be within financial means if, after receiving rental assistance, this amount does not exceed the base monthly rent and utility cost for the dwelling from which the tenant is displaced.

If a tenant's income qualifies as low income in accordance with established low income amounts determined by the U. S. Department of Housing and Urban Development (HUD), the Agency may need to calculate the base monthly rent using 30% of the displaced tenant's total monthly gross household income.

The Agency will also evaluate the amounts designated for shelter and utilities for a tenant that received government assistance.

The rental assistance payment will be computed using the lesser of the three alternatives:

1. Monthly rent and estimated average monthly utility cost
2. 30% of the total monthly gross household income for a qualified low income tenant
3. The total amount designated for shelter and utilities for a tenant receiving government assistance.

To ensure the maximum benefit, it is important to provide the Agency appropriate evidence of total monthly household income when asked. There are some amounts that are not included as monthly household income, including income earned by dependents.

Decent, Safe and Sanitary (DSS)



- Contain a well-lighted and ventilated bathroom providing privacy to the user and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator
- Have unobstructed egress to safe, open space at ground level
- Be free of any barriers which prevent reasonable ingress, egress or, in the case of a handicapped displaced person, use of the dwelling

Replacement housing must be decent, safe and sanitary. This means that it meets all the minimum requirements established by Federal and State regulations and conforms to local housing and occupancy codes. The dwelling shall:

- Be structurally sound, weathertight, and in good repair
- Contain a safe electrical wiring system adequate for lighting and other devices
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees Fahrenheit) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person

Important:

Please understand that the replacement dwelling inspection for decent, safe, and sanitary requirements is conducted by Agency personnel for the sole purpose of determining your eligibility for a relocation payment. Therefore, you must not interpret the Agency's approval of a dwelling to provide any assurance or guarantee that there are no deficiencies in the dwelling or in its fixtures and equipment that may be discovered at a later date. It is your responsibility to protect your best interest and investment in the purchase or rental of your replacement property and you must clearly understand that the Agency will assume no responsibility if structural, mechanical, legal, or other unforeseen problems are discovered after the inspection has been conducted.

Types of Replacement Housing Payments

There are three basic types of replacement housing payments.

1. Purchase Supplement
2. Rental Assistance Payment
3. Downpayment Assistance

The type of payment depends on whether you are an owner or a tenant and how long you have occupied the property being acquired prior to negotiation.

Purchase Supplement

If you are an owner and have lived in your dwelling continuously for 90 days or more immediately before the initiation of negotiations, you may be eligible, in addition to the fair market value of your property, for a replacement housing payment not to exceed \$31,000 for all costs necessary to purchase comparable DSS replacement dwelling.

To qualify for this supplemental payment you must purchase and occupy a DSS replacement dwelling within one year and make your claim within 18 months from the latter of:

- the date you receive payment for your displaced dwelling
- the date a comparable replacement dwelling was made available to you.

The Purchase Supplement includes the Price Differential, Increased Mortgage Interest Cost and Incidental Expenses.

Price Differential

The price differential payment is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of your acquired dwelling. The Agency will identify a comparable replacement dwelling and compute the maximum payment you are eligible to receive. However, you have the option to purchase any dwelling you choose, but the payment must be limited to the amount computed by the agency. The purpose of this purchase additive is to put you back into a dwelling that is comparable to the dwelling we purchased from you.

Example of a Price Differential Payment Computation

The price differential payment will be computed based on the fair market value of your property before you receive the offer. Assume that the fair market value for your property is \$100,000. After a search for available comparable houses on the open market, the department determines that a replacement house will cost you \$115,000. You are eligible for a price differential payment of \$15,000 as shown in the example.

Assume that the Agency purchased your property for \$100,000. If you purchase a DSS replacement property costing \$115,000 your price differential will be as shown in **Example A**. If the purchase price is more than \$115,000, you pay the difference as shown in **Example B**. If the purchase price is less than \$115,000 the price differential payment will be based on your actual cost as shown in **Example C**.

Agency Computation of Maximum Price Differential Payment	Cost of Comparable Replacement Acquisition Price of Your Property Maximum Price Differential Payment	\$115,000 <u>- 100,000</u> \$ 15,000
Example A	Actual Cost of Replacement Property (Same Purchase Price as Comparable) Acquisition Price of Your Property Price Differential Payment	\$115,000 <u>- 100,000</u> \$ 15,000
Example B	Actual Cost of Replacement Property Acquisition Price of Your Property Difference Price Differential Payment You are Responsible for This Amount	\$125,000 <u>- 100,000</u> \$ 25,000 \$ 15,000 \$ 10,000
Example C	Actual Cost of Replacement Property Acquisition Price of Your Property Price Differential Payment Payment is Based on Actual Cost	\$110,000 <u>- 100,000</u> \$ 10,000

Increased Mortgage Cost

You may be eligible for reimbursement of increased mortgage interest cost if the interest rate on your new mortgage exceeds that of your present mortgage. To be eligible for this payment, your dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 90 days prior to the initiation of negotiations.

IMPORTANT:

The interest rate on the new mortgage used to determine the amount of the payment cannot exceed the prevailing fixed interest rate for conventional mortgages charged by mortgage lending institutions. Payments based on interest rates that are determined by criteria not related to market conditions are not eligible.

Incidental Expenses

You may also be reimbursed for other expenses such as reasonable cost incurred for title search, recording fees, and certain other closing cost normally paid by a purchaser, but not including prepaid expenses such as real estate taxes and property insurance.

Rental Assistance Payment

For Owner Occupants and Tenants of 90 Days or More

Owner occupants and tenants of 90 days or more may be eligible for a rental assistance payment. To be eligible for a rental assistance payment, tenants and owners must have been in occupancy at least 90 days immediately preceding the initiation of negotiations for the acquisition of the property.

This supplemental payment was created so you may rent a comparable decent, safe and sanitary replacement dwelling for 42 months without out-of-pocket rental cost. If you choose to rent replacement housing and the rent and utilities are higher than you have been paying, you may be eligible for a rental assistance payment up to \$7,200.

In accordance with established procedures, the Agency will compute the maximum payment you may be eligible to receive. The rental assistance payment generally will be paid in a lump sum unless the agency determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within 1 year and make your claim within 18 months from the date you move from the displacement dwelling.

Example of Rental Assistance Payment

As an example for computing a rental assistance payment, let's assume that you have been paying \$400.00 per month rent for the dwelling occupied by you and purchased by the Agency. You have also been paying \$150 per month for utility cost. After a study of the rental market for a dwelling that is decent, safe and sanitary and comparable to yours, the department determines that a replacement rental dwelling is available for \$500 per month. It is estimated that average monthly utility cost for the replacement dwelling is \$175.

\$675	Rent and Utilities of Comparable Replacement Dwelling
<u>- 550</u>	Rent and Utilities of Acquired Dwelling
\$125	

The maximum rental assistance payment you can receive is \$125 per month for a 42 month period, or \$5,250.

Example A: If you select a replacement dwelling that rents for \$550 per month plus utilities, despite the availability of comparable DSS replacement rental housing that rents for \$500 plus utilities, you will still receive the maximum amount computed, \$5,250. The additional cost you must pay yourself.

Example B: If you select a replacement dwelling that rents for more than your acquired dwelling, but less than the amount determined by the department as necessary to rent a comparable dwelling, your payment will be based on actual cost. If you select a replacement dwelling that rents for \$450 per month plus 150 for utilities, the basis of actual cost you will be eligible for is \$50 per month for 42 months, or \$2,100.

Down Payment Assistance

Tenants of 90 days or more

Tenants of 90 days or more may be eligible for a down payment and incidental expenses. The amount of the down payment is based upon the computation of the rental assistance payment.

When you purchase replacement housing the Agency will reimburse you the full amount of the rental assistance payment for down payment assistance toward the purchase price of the replacement dwelling and related incidental expenses. To be eligible for the full amount of the down payment assistance payment, the entire payment must be used to purchase a DSS replacement dwelling. If the amount of the down payment and incidental expenses is greater than the rental assistance payment, the greater amount will be paid, not to exceed \$7,200.

Incidental expenses are the eligible expenses for closing on your replacement dwelling. The combined amount of the down payment and incidental expenses cannot exceed the maximum payment of \$7,200. You must purchase and occupy a DSS replacement dwelling within 1 year and make your claim within 18 months from the time you move.

Agency Computation of Maximum Rental Assistance Payment	Rent You are Currently Paying Plus Cost for Utilities You are Paying	\$400 <u>+150</u> \$550
	Rent for a Comparable DSS Dwelling Estimated Cost for Utilities	\$500 <u>+175</u> \$675
	Difference (\$675-550=\$125) x 42 months Maximum Rental Assistance Payment	\$5,250 \$5,250
Example A	Actual Rent for DSS Replacement Property Plus Estimated Cost for Utilities	\$550 <u>+175</u> \$725
	Difference(\$725-550=\$175) x 42 months Rental Assistance Payment	\$7,350 \$5,250
Example B	Actual Rent for DSS Replacement Property Plus Estimated Cost for Utilities	\$450 <u>+150</u> \$600
	Difference (\$600-550=\$50) x 42 months Rental Assistance Payment	\$2,100 \$2,100

90 Day Owner Who Elects to Rent

A rental assistance payment for a 90-Day owner occupant is basically the same. The department will establish the fair market rental amount on your acquired dwelling for comparison with available comparable rental dwellings. The amount of the rental assistance payment cannot exceed the amount the owner would have received as a price differential described previously.

Housing of Last Resort

At times there are projects in locations where the supply of available replacement housing is not sufficient to provide the necessary housing for owners and tenants being displaced. If comparable replacement housing is not available on the market, or is not available within the maximum \$7,200 or \$31,000 payment limits, the department will initiate Housing of Last Resort.

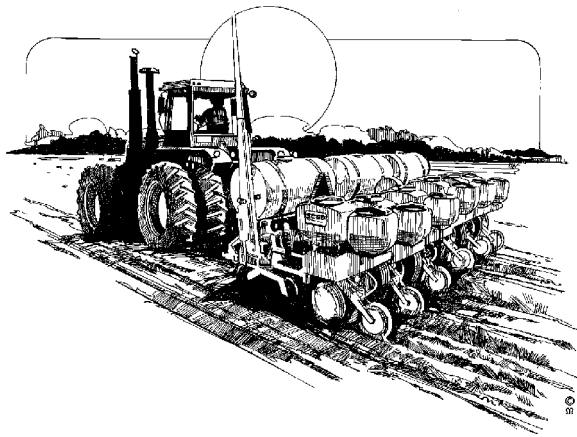
The agency may provide the necessary housing in a number of ways, such as:

- The relocation and rehabilitation (if necessary) of a dwelling purchased from the project area by the Agency and making it available to the displaced person in exchange for the displacement property.
- The purchase, rehabilitation and/or construction of additions to an existing dwelling to make it comparable to the displacement property.
- The purchase of land and the construction of a new replacement dwelling comparable to the displacement property when comparables are not otherwise available.
- The purchase of an existing dwelling, removal of barriers and/or rehabilitation of the structure to accommodate a person with disabilities when suitable comparable replacement dwellings are not available.
- A replacement housing payment in excess of the maximum of 7,200 or \$31,000 payment limits.

Eligible displaced persons are not required to accept a dwelling provided by the Agency. Anyone displaced from a project may select any replacement dwelling of their choice, providing it meets DSS housing standards.

If you are eligible for replacement housing under the Housing of Last Resort program, you will be so informed by the relocation agent, who will thoroughly explain the program.

INFORMATION FOR BUSINESSES, FARMS AND NONPROFIT ORGANIZATIONS



MOVING COST REIMBURSEMENT: BUSINESSES, FARMS AND NONPROFIT ORGANIZATIONS

Owners or tenants are entitled for moving expenses based on actual reasonable moving cost and related expenses or, under certain circumstances, a fixed payment.

- A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself. Related expenses, such as personal property losses, expenses in finding a replacement site and reestablishment expenses may also be reimbursable.
- B. Or, you may be eligible for a fixed payment of not less than \$1,000 nor more than \$40,000 in lieu of the payments listed in A. above. The fixed payment is based on a two year average of the annual net earnings of a business or farm operation. To qualify for a fixed payment, certain conditions must be met. If you represent a nonprofit organization, this payment is computed differently. Contact your relocation agent for more details.

To assure eligibility and prompt payment for moving expenses you must notify the agency prior to moving. You must provide the Agency with an inventory of the personal property to be moved and advance notice of the date of the move. The agency will provide a self-addressed, stamped postcard to be returned to the agency not less than seven (7) days prior to the date of the planned move. The agency must be permitted to make reasonable and timely inspections of the personal property at both the displacement and replacement sites and to monitor the move.

Important:

Please do not move before you furnish the Agency with an inventory of your personal property and notify them with a written notice seven (7) days in advance of the date you plan to move your personal property.

TYPES OF PAYMENTS

Actual Reasonable Moving Cost

Includes

Packing, disconnecting, dismantling, removing, transportation, unpacking, reassembling, and reinstalling personal property.

Plus Related Expenses

Actual Direct Loss of Tangible Personal Property
Searching Expenses
Professional Services to Plan the Move
Reestablishment Expenses
Storage and Insurance



Or

Fixed Payment in Lieu of All Moving Cost

From \$1,000 to \$40,000
Based on Average Annual Net Earnings

ACTUAL COST MOVE

If your business, farm or nonprofit organization is displaced you may be paid actual moving and related expenses as the agency determines to be reasonable and necessary. All costs must be supported by paid receipts or other evidence of expenses incurred. In addition to the transportation costs (up to 50 miles) of your personal property, certain other expenses may also be reimbursable, such as packing, crating, unpacking and uncrating, and the disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as professional services necessary for planning and carrying out the move, temporary storage cost, and the cost of licenses, permits and certifications may also be reimbursable. This is not intended to be an all inclusive list of moving related expenses. Your relocation agent will provide you with a complete explanation of reimbursable expenses.

There are basically four ways to accomplish an Actual Cost Move. The agency will reimburse your moving expenses for a move performed by a Professional Mover, a self-move based on actual cost, a self-move based on the lower of two bids and for low cost or uncomplicated moves you may be reimbursed for a self move based on a single estimate or an estimate prepared by the agency.

1. Move Performed by a Professional Mover

If you wish to be moved by a professional mover, the Agency may approve a payment not to exceed the lower of two acceptable bids or estimates from qualified moving firms. When the move is completed you must supply copies of receipted bills from the mover along with an inventory of the items moved.

RELATED MOVING EXPENSES

2. Self-Move Based on Actual Cost

If you wish to move your personal property, you may be paid the actual reasonable moving expenses. The expenses must be supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the rates paid by a commercial mover to employees performing the same activity. Equipment rental fees should be based on the actual rental cost of the equipment but not to exceed the cost paid by a commercial mover.

3. Self-Move Based on the Lower of Two Bids

If you agree to take full responsibility of all or part of the move of your business, farm or nonprofit organization, the agency may approve a payment not to exceed the lower of two acceptable bids or estimates from qualified moving firms. Following the move, you must supply an inventory of the items actually moved. The advantage of this moving option is that it relieves you from documenting all moving expenses because the payment is limited to the amount of the lowest acceptable bid or estimate. The Agency may make the payment without additional documentation.

4. Self-Move based on estimate (Finding)

If you wish to move your personal property and the move will not exceed \$5,000, a qualified employee or commercial moving company may make a moving bid or estimate without obtaining a second bid or estimate.

REESTABLISHMENT EXPENSES

In addition to Actual Cost Moves, a small business, farm or nonprofit organization may be eligible for a payment, not to exceed \$25,000, for certain kinds of actual expenses necessary to relocate and reestablish the enterprise at a replacement site. To qualify the business, farm or nonprofit organization must have no more than 500 employees working at the site being acquired.

Reestablishment expenses may include, but are not limited to, the following:

1. Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.
2. Modifications to the replacement property to accommodate the business operation and make replacement structures suitable for conducting the operation.
3. Construction and installation cost for exterior signage to advertise the business.
4. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.
5. Advertisement of replacement location.

6. Estimated increased cost of operation during the first 2 years at the replacement site for items such as:
- Lease or rental charges
 - Personal or real property taxes
 - Insurance Premiums
 - Utility charges, excluding impact fees
7. Other items that the Agency considers essential to the reestablishment of the business.



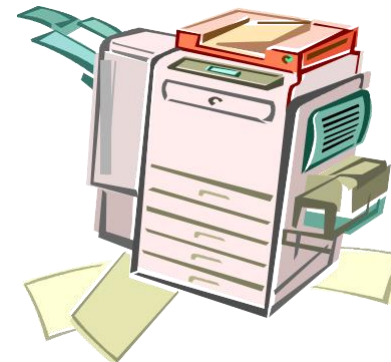
Caution: The cost and expenses for constructing a new building for a replacement business is considered a capital asset and therefore ineligible for reestablishment expense.

DIRECT LOSS OF TANGIBLE PERSONAL PROPERTY OR PURCHASE OF SUBSTITUTE PERSONAL PROPERTY

You may be eligible for a payment if the business, farm or nonprofit organization discontinues its operation or if personal property is abandoned or replaced as a result of your move.

If you decide to discontinue your operation or abandon an item of personal property rather than relocate the item you may be eligible for **Direct Loss of Tangible Personal Property**. This payment is based upon the lesser of the value of the item for continued use at the displacement site less the proceeds for its sale or the estimated cost of moving the item.

If you decide to replace an item of personal property rather than relocate the item you may be eligible for **Purchase of Substitute Personal Property**. This payment is based on the lesser of the cost of the substitute item minus any proceeds from the sale or trade-in of the replaced item or the estimated cost of moving the replaced item.



SEARCHING EXPENSES FOR REPLACEMENT PROPERTY

Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual expenses, not to exceed \$2,500. Expenses may include the following.

- Transportation
- Meals and lodging away from home
- Time spent searching, based on reasonable salary or earnings
- Fees paid to a real estate agent or broker to locate a replacement site
- Time spent in obtaining permits and attending zoning hearings.
- Time spent negotiating the purchase of a replacement site based on reasonable salary or earnings

LOW VALUE HIGH BULK PROPERTY

If an Agency considers a personal item to be of low value and high bulk, and moving costs are disproportionate to its value (such as minerals, metals, rocks, or topsoil), the allowable moving cost payment shall not exceed the lesser of the amount which would be received if the property were sold at the site, or, the replacement cost of a comparable quantity delivered to the new business location.

RELATED ELIGIBLE EXPENSES

In addition to the moving expenses, the cost for the following items may be reimbursed if the Agency determines they are actual, reasonable, and necessary:

- Connection to available nearby utilities from the right-of-way to improvements at the replacement site.
- Professional services performed prior to the purchase or lease of replacement site to determine the sites suitability for the displaced person's operation.
- Impact fees or one time assessments for heavy utility usage as determined necessary by the Agency.

Important:

Please discuss this with your relocation agent before incurring these costs to assure that they are reimbursable.

FIXED PAYMENT (IN LIEU)

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of (in place of) actual moving expenses and related moving expenses. The fixed payment may not be less than \$1,000 nor more than \$40,000.

To be eligible for a fixed payment, the Agency must determine the following:

- The business owns or rents personal property that must be moved due to the displacement.
- The business cannot be relocated without a substantial loss of its existing patronage.
- The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.
- The business is not operated at the displacement site (business and residential) solely for the purpose of renting to others.
- The business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity which are under the same ownership and are not being displaced by the Agency.

Eligibility requirements for farms and nonprofit organizations are slightly different than business requirements. If you are interested in a fixed payment please consult your relocation agent for additional information if you are being displaced from a farm or nonprofit organization.

THE COMPUTATION OF YOUR FIXED PAYMENT (IN LIEU)

The fixed payment for a displaced business or farm is based upon the average annual net earnings of the operation for the two taxable years immediately preceding the taxable year in which it was displaced. (Or a two year period deemed more representative by the agency).

Example:

2011	2012	2013
Annual Net Earnings \$17,000	Annual Net Earnings \$19,000	Year Displaced
Average annual net earnings $\$17,000 + \$19,000 = \$36,000 / 2 = \$18,000$ Fixed Payment = \$18,000		

RELOCATION PAYMENTS ARE NOT CONSIDERED TO BE INCOME

No relocation payment received by a displaced person will be considered as income for the purpose of the Internal Revenue Code or for the purpose of determining the eligibility or extent of eligibility of any person for assistance under the Social Security Act or any other Federal law providing low-income housing assistance.

YOUR RIGHT TO APPEAL

Any aggrieved person may file a written appeal with the head of the Agency if the person believes the Agency has failed to properly determine the person's relocation assistance eligibility or the amount of a relocation payment.

If you have a grievance, you will be given a prompt and full opportunity to be heard. You will also have the right to be represented by legal counsel or other representative in connection with the appeal, but solely at your own expense.

The Agency will promptly review your appeal and consider all pertinent justification and information submitted by you to ensure a fair and full review. The Agency will provide you with a written determination as well as an explanation of the decision. If you are still dissatisfied with the relief granted, you may then seek judicial review.