

<input checked="" type="checkbox"/>	R/W MANUAL CHANGE	RWMC- 262
<input type="checkbox"/>	PROCEDURAL HANDBOOK (1984 Edition)	RWPH-____-____-____ TRANSMITTAL#____

TITLE: RELOCATION ASSISTANCE	APPROVED BY: <i>Rene Fletcher</i> RENÉ FLETCHER	DATE ISSUED: SEP 13 2016
		Page 1 of 2
SUBJECT AREA: CHAPTER 10 – RELOCATION ASSISTANCE	ISSUING UNIT: OFFICE OF RIGHT OF WAY PROJECT DELIVERY	
SUMMARY OF CHANGES: Revises forms RW 10-3, RW 10-7, RW 10-30, RW 10-42 and forms Table of Contents. Also revises exhibits 10-EX-1, 10-EX-21, 10-EX-25, 10-EX-28, 10-EX-30, 10-EX-31, 10-EX-34, 10-EX-39, 10-EX-40, 10-EX-43, 10-EX-45, 10-EX-47, 10-EX-48, 10-EX-49, 10-EX-50, and exhibit Table of Contents.		

PURPOSE

This manual change updates forms and exhibits that required revisions as a result of the passage of MAP-21. Forms have also been revised in the Department’s Caltrans Electronic Forms System (CEFS). RWMC-262 transfers them to the Right of Way Manual.

<u>Form No.</u>	<u>Title</u>
RW 10-3	Relocation Diary
RW 10-7	General Information Notice
RW 10-30	Claim for Relocation Assistance – Nonresidential
RW 10-42	Replacement Housing Valuation Report Certification and Approval

<u>Exhibit No.</u>	<u>Title</u>
10-EX-1	Relocation File Closeout Checklists
10-EX-21	Mobile Home Benefit Tables
10-EX-25	Proration for Divorced or Separated Couples
10-EX-28	Timelines for Residential Occupants to Occupy and File Claim
10-EX-30	FHWA Guidance on Reestablishment
10-EX-31	Reminder Letter to Displacee Re: Time Frames
10-EX-34	FHWA Guidance on Determining Multiple Households
10-EX-39	Notice of Eligibility – 90-Day and Non-Tenured Occupant(s)
10-EX-40	Conditional Entitlement Letter – 90-Day and Non-Tenured Occupant(s)
10-EX-43	Notice of Eligibility – Business, Farm or Nonprofit Organization
10-EX-45	Conditional Entitlement Letter – 90-Day Owner-Occupant
10-EX-47	Notice of Eligibility – 90-Day Owner-Occupant Mobile Home
10-EX-48	Conditional Entitlement Letter – 90-Day Owner-Occupant Mobile Home
10-EX-49	Notice of Eligibility – 90-Day Owner-Occupant
10-EX-50	Notice of Eligibility – Nonoccupant Owner Leasing Space to Others

EFFECTIVE DATE

Immediately.

MANUAL IMPACT

- Remove the superseded pages and insert the attached pages in the Manual.
- Record the action on the Revision Record.

REVISION SUMMARY

<u>Chapter</u>	<u>Remove Old Pages</u>	<u>Insert New/Revised Pages</u>
	Remove the following in its entirety:	Replace with the following in its entirety:
10 - Forms	Table of Contents (REV 6/2012) RW 10-3 (REV 5/2001) RW 10-7 (REV 12/2001) RW 10-30 (REV 9/2003) RW 10-42 (REV 10/2002)	Table of Contents (REV 4/2015) RW 10-3 (REV 10/2014) RW 10-7 (REV 10/2014) RW 10-30 (REV 10/2014) RW 10-42 (REV 04/2015)
10 – Exhibits	Table of Contents REV 5/2012 10-EX-1 (NEW 5/2012) 10-EX-21 (REV 5/2001) 10-EX-25 (NEW 5/2001) 10-EX-28 (REV 5/2012) 10-EX-30 (NEW 5/2001) 10-EX-31 (REV 5/2012) 10-EX-34 (REV 5/2012) 10-EX-39 (REV 5/2012) 10-EX-40 (REV 5/2012) 10-EX-43 (REV 5/2012) 10-EX-45 (REV 5/2012) 10-EX-47 (REV 5/2012) 10-EX-48 (REV 5/2012) 10-EX-49 (REV 5/2012) 10-EX-50 (REV 5/2012)	Table of Contents REV 10/2014 10-EX-1 (REV 10/2014) 10-EX-21 (REV 10/2014) 10-EX-25 (REV 10/2014) 10-EX-28 (REV 10/2014) 10-EX-30 (REV 10/2014) 10-EX-31 (REV 10/2014) 10-EX-34 (REV 10/2014) 10-EX-39 (REV 10/2014) 10-EX-40 (REV 10/2014) 10-EX-43 (REV 10/2014) 10-EX-45 (REV 10/2014) 10-EX-47 (REV 10/2014) 10-EX-48 (REV 10/2014) 10-EX-49 (REV 10/2014) 10-EX-50 (REV 10/2014)

CHAPTER 10

Relocation Assistance Table of Contents

FORMS

<u>Form No.</u>	<u>Title</u>
RW 10-1	Owner's Certification of Tenants
RW 10-2	Claim for Relocation Assistance - Residential
RW 10-3	Relocation Diary
RW 10-4	Hold for Future Use
RW 10-5	Payment Request & Relocation Cost Summary
RW 10-6	Relocation Assistance Appeal
RW 10-7	General Information Notice
RW 10-8	Notice of Intent to Acquire – Owner-Occupant
RW 10-9	Informational Letter to Nonoccupant Owner Re: Notice of Intent to Acquire
RW 10-10	Notice of Intent to Acquire - Tenant
RW 10-11	Hold for Future Use
RW 10-11A	Hold for Future Use
RW 10-12	Hold for Future Use
RW 10-13	Hold for Future Use
RW 10-14	Hold for Future Use
RW 10-15	Hold for Future Use
RW 10-16	Hold for Future Use
RW 10-17	Hold for Future Use
RW 10-18	90-Day Information Notice – Residential Occupant
RW 10-19	90-Day Information Notice – Nonresidential Occupant
RW 10-20	90-Day Notice to Vacate – Residential Occupant
RW 10-21	90-Day Notice to Vacate – Nonresidential Occupant
RW 10-22	60-Day Notice to Vacate – Residential Occupant
RW 10-23	30-Day Notice to Vacate – Residential Occupant
RW 10-24	30-Day Notice to Vacate – Nonresidential Occupant
RW 10-25	Certificate of Occupancy and Receipt of Relocation Information
RW 10-26	Hold for Future Use
RW 10-27	Agreement: (Condemnation Settlement Pending) Price Differential Advance to Owner-Occupant
RW 10-28	Hold for Future Use
RW 10-29	Residential - Claim for Moving Expense by Moving Service Authorization
RW 10-30	Claim for Relocation Assistance - Nonresidential
RW 10-31	Hold for Future Use
RW 10-32	Hold for Future Use
RW 10-33	Hold for Future Use
RW 10-34	Hold for Future Use

<u>Form No.</u>	<u>Title</u>
RW 10-35	Hold for Future Use
RW 10-36	Hold for Future Use
RW 10-37	Hold for Future Use
RW 10-38	Notice to Acquisition of In-Lieu Payment or Reestablishment Expenses
RW 10-39	Income Certification
RW 10-40	Decent, Safe, and Sanitary Inspection Report
RW 10-41	Computation of Rent Differential Payment
RW 10-42	Replacement Housing Valuation Report Certification and Approval
RW 10-43	Hold for Future Use
RW 10-44	Certification Concerning Legal Residency in the United States (U.S. Residency Certification)
RW 10-44s	Certificacion Concerniente A Residencia Legal En Los Estados Unidos
RW 10-45	Agreement to Occupy Replacement Property
RW 10-46	Hold for Future Use
RW 10-47	Self Move Agreement and Claim Form for Under \$10,000 Acquisition

CONFIDENTIAL
 This document contains personal information and pursuant to Civil Code 1798.21, it shall be kept confidential in order to protect against unauthorized disclosure.

NAME	DIST	CO	RTE	KP(P.M.)	EA		
TELEPHONE	AR						
ADDRESS	PARCEL NO.						
	FEDERAL PROJECT NO.						
TENURE: <input type="checkbox"/> 90-day Owner <input type="checkbox"/> 90-day Tenant <input type="checkbox"/> Business Owner <input type="checkbox"/> Business Lessee/Tenant <input type="checkbox"/> Non-Tenured	RESIDENTIAL UNIT: <input type="checkbox"/> SINGLE FAMILY <input type="checkbox"/> MULTI RESI. <input type="checkbox"/> MOBILE HOME						
DATE OF ORIGINAL OCCUPANCY	DATE OF FIRST RAP CALL						
DATE OF FIRST WRITTEN OFFER	AMOUNT			REVISION			
AMOUNT OF FIRST WRITTEN OFFER	\$						
FINAL VALUE OF ACQUIRED UNIT	DATE OF POSSESSION (COE, OP, RE)						
NEW ADDRESS	INFORMATION LETTERS MAILED AND/OR DELIVERED TO OCCUPANTS ON: Title VI Information (Survey and Brochure) _____ Relocation General Information Notice _____ Notice of Eligibility Letter _____ Conditional Entitlement Letter _____ 90-Day Letter (Type: _____) _____ 30-Day Letter _____						
TELEPHONE							
DATE OF MOVE						TYPE OF RESIDENCE <input type="checkbox"/> RENT <input type="checkbox"/> PURCHASE	
DATES							
1 Year to Occupy Expires on _____ <i>(Residential Only)</i> 18 months to file Claim Expires on: _____ 24 months to file Appeal Expires on: _____							

PAYMENTS MADE

Type of Claim	Amount of Claim	Date Claim Received	Amount Approved	Date Claim Approved	Date Revolving Fund Check	
					Issued	Reimbursed

Reviewed file. Documentation is complete. All payments have been processed and are proper.

DATE FILE CLOSED	SENIOR RIGHT OF WAY AGENT
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See Attached Pages for Checklist and Remarks

RELOCATION DIARY (Cont.)

RW 10-3 (REV 10/2014)

DATE/AGENT SIGNATURE	Displacee (Surname):	Parcel No.
FOR ALL ELIGIBLE DISPLACEDS - FIRST RAP CALL (Personal)		
I, _____ the Acquisition/Relocation Agent Assigned to this parcel, personally met with the displacees listed below, who occupied this residential/business/farm/nonprofit site, on this date. We discussed the relocation program, including advisory services and possible relocation benefits, specifically the following items, which are also explained in the Relocation Brochure and the Eligibility Letter.		
1. State's 90 day vacating notice.		
2. 12 month deadline regarding moving and replacement housing expenses.		
3. 18 month deadline to sign claims.		
4. 24 months to file RAP appeal.		
5. Moving expenses - actual, reasonable, 50 mile limitation. (Personalty, not realty.)		
6(a). Basic Moving Methods (Residential):		
(i) Room count schedule. Determined _____ rooms eligible for move.		
(ii) Move service authorization (MSA).		
(iii) Actual cost move by commercial carrier.		
6(b). Basic Moving Methods (Nonresidential):		
(i) Actual cost move by commercial carrier.		
(ii) Self moves with pre-authorized written agreement. (Estimates or bids may be needed.)		
7. Offered our assistance in locating replacement property.		
8. Right to appeal and appeal process.		
9. For eligible residential occupants only:		
a. DS&S requirements.		
b. Replacement housing valuation.		
c. Last resort housing limitations and payment provisions.		
d. Affordability / income provisions.		
e. "Spend to get" and time periods to receive benefits.		
10. Title VI information provided by the Appraiser/Acquisition/Relocation Office.		
11. U.S. Residency requirement for a Certification for all occupants in order to receive benefits.		
12. I provided the displacee with the following documents:		
a. Notice of Eligibility (RW 10-____) which was acknowledged by the displacee		
b. Relocation Brochure (Type _____)		
13. I obtained from the displacee the following signed documents:		
a. Certificate of Occupancy and Receipt of Relocation Information		
b. U.S. Residency Certificate		
14. Other: _____		

Place "N/A" beside those standard items that are not applicable to the discussion with the displacee.

DATE

FILE REFERENCE:

**THIS NOTICE DOES NOT REQUIRE YOU
TO MOVE AT THIS TIME
IF YOU MOVE PRIOR TO RECEIVING
A NOTICE OF ELIGIBILITY FROM THE DEPARTMENT,
YOU WILL NOT BE ELIGIBLE FOR RELOCATION BENEFITS**

Address:

Dear _____ :

Building a modern transportation system often causes the displacement of a small percentage of the population. You are located on property which may be purchased by the California Department of Transportation for a construction project. As a result of our acquisition, you MAY be eligible for various relocation payments and assistance in finding a new place to live or operate your business, farm or nonprofit organization.

Displaced individuals, families, businesses, farms and nonprofit organizations may be eligible for relocation advisory services and payments provided by the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970," as amended, hereafter referred to as the Uniform Act. The following is information about available relocation services and payments.

MOVING EXPENSES may be paid to those who are required to relocate from property acquired by the Department.

RESIDENTIAL OWNER-OCCUPANTS may be paid replacement housing payments, increased interest cost payments and some of the costs incidental to purchase of replacement homes if they have actually owned and occupied their homes for at least 90 days immediately before the Department makes its first written offer to purchase their home.

RESIDENTIAL TENANTS may be eligible for increased rental cost payments or a payment toward the purchase of their own home if they have actually occupied their dwelling for at least 90 days immediately before the Department makes its first written offer to purchase that property.

BUSINESSES, FARMS AND NONPROFIT ORGANIZATIONS may be eligible for various payments including reestablishment costs.

WHEN PAYMENTS CAN BE MADE - No relocation payment can be made until the Department of Transportation has made a written offer to acquire the real property where the person lives or operates their business, farm or nonprofit organization, and the person has moved from the premises.

Residential homeowners or tenants of dwelling units may receive relocation assistance payments only if they either purchase or rent and occupy a dwelling which meets the Department of Transportation's standards as decent, safe and sanitary. The Department should be asked to inspect the replacement dwelling before you rent or buy it.

GENERAL INFORMATION NOTICE

RW 10-7 (REV 10/2014)

RESIDENTIAL OWNER-OCCUPANTS of 90 days or longer must purchase and occupy a decent, safe and sanitary dwelling unit within one year of receiving final payment for the acquired property or had at least one comparable replacement property made available to them, whichever occurrence is later.

RESIDENTIAL TENANTS must occupy a decent, safe and sanitary dwelling within one year after vacating the acquired property to receive a relocation assistance payment. No person who is lawfully occupying real property required for the project will be asked to move without first being given at least 90 days advance notice, in writing. No occupants of any type of dwellings, eligible for relocation payments, will be required to move unless adequate decent, safe and sanitary replacement housing, which is open to all persons regardless of race, color, religion, sex, or national origin, has been made available to them by the Department or they have secured such housing for themselves.

LEGAL RESIDENCY - Residents not lawfully present in the United States are ineligible for relocation payments and assistance.

APPEALS - The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the department has failed to properly determine the person's eligibility or the amount of payment authorized by the Act. You have the right to be represented by legal counsel, but this is not required.

If you still believe a proper determination has not been made, you may seek judicial review.

NONDISCRIMINATION - All services and/or benefits to be derived from any right of way activity will be administered without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act.

Answers to your questions can be obtained by calling or writing the Department of Transportation office at:

CLAIM FOR RELOCATION ASSISTANCE - NONRESIDENTIAL

RW 10-30 (REV 10/2014)

OR in lieu of A and B above (tax records verified by agent and returned to displacee)

In-Lieu Payment based on average annual net earnings for

Tax Year _____ for \$ _____ and Tax Year _____ for \$ _____ \$ _____

I CERTIFY that I have not submitted any other claim for, or received reimbursement or compensation for, any item of expense in this claim, from the Department of Transportation nor from any other public agency or private company, and that I will not accept reimbursement or compensation from any other source for any item of expense paid pursuant to this claim. I further certify that all information submitted herewith or included herein is true and correct. I understand that only lawful U.S. residents are entitled to claim relocation benefits. I understand that, in addition to the penalty provided by Penal Code Section 72, falsification of any item in this claim as submitted herewith may result in forfeiture of the entire claim.

DATE	DISPLACEE'S SIGNATURE(S)
	DISPLACEE'S SIGNATURE(S)

I CERTIFY that I examined this claim and substantiation documentation and found it to conform to the applicable provisions of State and Federal law and the Code of Federal Regulations, Title 49, Part 24. This claim is approved for a moving payment of \$ _____ for eligible moving, moving related and reestablishment expenses (not to exceed \$25,000), or for an in-lieu payment of \$ _____.

DATE	RAP SENIOR SIGNATURE
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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
REPLACEMENT HOUSING VALUATION
REPORT CERTIFICATION AND APPROVAL
RW 10-42 (REV 04/2015)

CONFIDENTIAL
This document contains personal information and pursuant to Civil Code 1798.21, it shall be kept confidential in order to protect against unauthorized disclosure.

DISTRICT:	COUNTY:	ROUTE:	KP (P.M.):	EXP AUTH:
AR:	PARCEL NUMBER:	FEDERAL PROJECT NUMBER:	ORIGINAL /REVISED REPORT Date:	

The undersigned certify that:

1. The replacement housing needs of the person(s) who will be displaced have been considered.
2. This valuation considers the fair market value appraisal of the displacement dwelling.
3. The displacement dwelling and the available dwelling units on which the valuation is based have been field reviewed by the agent preparing the report and the senior right of way agent approving the report.
4. The replacement value for the dwelling unit covered by this report properly reflects the price for which the displaced person(s) can purchase or rent comparable replacement housing as defined in 49 Code of Federal Regulations, Section 24.2(d).
5. The replacement housing valuation amounts approved herein are not directed amounts, but were arrived at fairly, without coercion, and are based on factual data retained in office files.
6. The undersigned have no direct or indirect, present or contemplated future, personal interest in any displaced dwelling unit, or comparable dwelling used in connection with this report, and will not benefit from any transaction made in consequence of this report.

PRICE (OR) RENT DIFFERENTIAL:

DISPLACEE'S NAME:

DISPLACEMENT ADDRESS:

This amount (does) (does not) fall under Last Resort Housing provisions.

I have prepared this Replacement Housing Valuation Report. I did not prepare the fair market value appraisal of the displacement dwelling.

RIGHT OF WAY AGENT:	DATE:
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I have reviewed and approved this replacement housing valuation. I am in conformance with the procedures in the R/W Manual Sections 10.06.12.05 for approving replacement housing valuations, and in accordance with current delegations.

NAME AND TITLE:	DATE:
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**REPLACEMENT HOUSING VALUATION
REPORT CERTIFICATION AND APPROVAL (Cont.)**
RW 10-42 (REV 04/2015)

DISPLACEMENT PROPERTY DATA

DISTRICT:	COUNTY:	ROUTE:
KP (P.M.):	PARCEL NUMBER:	FEDERAL PROJECT NUMBER:

DISPLACEE'S NAME: _____
DISPLACEMENT ADDRESS: _____

This Report is prepared to calculate a 90-day Owner Occupant: Price Differential Rent Differential
 90-day Tenant Non-Tenured Occupant

No. Eligible Occupants _____ which requires _____ Bedrooms to be DS&S
SFR Apartment Duplex Mobile Home Other

NO. BEDROOMS	NO. BATHS	TOTAL ROOMS	LIVING AREA SF	AGE	QUALITY	CONDITION	YARD IMP.	GARAGE	CARPORT	POOL
--------------	-----------	-------------	----------------	-----	---------	-----------	-----------	--------	---------	------

COMMENTS ABOUT DISPLACEMENT PROPERTY (photo attached to back of this page):

Lot Size: _____ SF or _____ Typical Residential Lot for Area: _____ SF. Which is
Carved-out Residential Lot Size _____ SF Similar Larger Smaller than Displacement's
(Carved-out) Residential Lot Size

APPRAISED VALUE: \$	DATE:	ADJUSTED VALUE: \$	BASED ON FINAL ACQUISITION OF: \$
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Adjustments (Explanation and Amounts)

MAJOR EXTERIOR ATTRIBUTES:

Distance Miles
Public Transportation
Employment Centers
Shopping Facilities
Schools
Freeway Access

MIXED OR MULTIPLE USE PROPERTY:

MONTHLY RENT PAID: \$	30% OF INCOME (if provided by RAP Agent): \$	ECONOMIC RENT (if actual rent is less than 75%) \$
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RENT USED TO CALCULATE RENT DIFFERENTIAL:
1. Average last 3 months rent + utilities = \$ _____, OR 2. 30% of Verified Income \$ _____ 3. Economic Rent \$ _____

UTILITIES NOT INCLUDED IN MONTHLY RENT:
Electric \$ _____ Water \$ _____ Gas/Propane \$ _____ Sewer/Septic \$ _____ Other \$ _____ Desc. _____

Most Comparable Replacement Properties		Listing Price or Rent
ID Number	Address	
Comp 1:		
Comp 2:		
Comp 3:		
Comp 4:		

Price / Rent Differential Calculation:
1. Most Comparable Replacement Property as Adjusted \$ _____
2. Displaced Property as Adjusted \$ _____ (See above explanation)
3. Differential \$ _____ (x42 months for Rent Differential \$ _____)

Total RHP Available \$ _____
This payment (is) (is not) subject to Last Resort Housing provisions

**REPLACEMENT HOUSING VALUATION
REPORT CERTIFICATION AND APPROVAL (Cont.)**
RW 10-42 (REV 04/2015)

COMPARABLE REPLACEMENT PROPERTY DATA

FOR:
DISPLACEE'S NAME: _____ DISTRICT: _____ COUNTY: _____

ROUTE: _____ KP (P.M.): _____ EA: _____ PARCEL NUMBER: _____

COMPARABLE # _____ ADDRESS: _____ Lot Size Sq. Ft _____
 1 2 3 4 Similar Larger Smaller to Displacement

NO. BEDROOMS	NO. BATHS	TOTAL ROOMS	LIVING AREA SF	AGE	QUALITY	CONDITION	YARD IMP.	GARAGE	CARPORT	POOL
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LISTING PRICE: \$ _____ PUBLIC AND COMMON FACILITIES: YES NO PUBLIC UTILITIES: YES NO MONTHLY RENT: \$ _____

LIST COMPARABLE'S MAJOR EXTERIOR ATTRIBUTES: _____ Including utilities: _____

ADVERSE ENVIRONMENTAL CONDITIONS: YES NO

REMARKS: Is Comparable Equal to Better than the Displacement Property? Explain.	Distance (Miles)
	Public Transportation
	Employment Centers
	Shopping Facilities
	Schools
	Freeway Access

ATTACH PHOTO:

**REPLACEMENT HOUSING VALUATION
REPORT CERTIFICATION AND APPROVAL (Cont.)**

RW 10-42 (REV 04/2015)

COMPARABLE REPLACEMENT PROPERTY DATA

FOR:
DISPLACEE'S NAME: _____ DISTRICT: _____ COUNTY: _____

ROUTE: _____ KP (P.M.): _____ EA: _____ PARCEL NUMBER: _____

COMPARABLE # _____ ADDRESS: _____ Lot Size Sq. Ft _____
 1 2 3 4 Similar Larger Smaller to Displacement

NO. BEDROOMS	NO. BATHS	TOTAL ROOMS	LIVING AREA SF	AGE	QUALITY	CONDITION	YARD IMP.	GARAGE	CARPORT	POOL
--------------	-----------	-------------	----------------	-----	---------	-----------	-----------	--------	---------	------

LISTING PRICE: \$ _____ PUBLIC AND COMMON FACILITIES: YES NO PUBLIC UTILITIES: YES NO MONTHLY RENT: \$ _____

LIST COMPARABLE'S MAJOR EXTERIOR ATTRIBUTES: _____ Including utilities: _____

ADVERSE ENVIRONMENTAL CONDITIONS: YES NO

REMARKS: Is Comparable Equal to Better than the Displacement Property? Explain.	Distance (Miles)
	Public Transportation
	Employment Centers
	Shopping Facilities
	Schools
	Freeway Access

ATTACH PHOTO:

**REPLACEMENT HOUSING VALUATION
REPORT CERTIFICATION AND APPROVAL (Cont.)**

RW 10-42 (REV 04/2015)

COMPARABLE REPLACEMENT PROPERTY DATA

FOR:

DISPLACEE'S NAME:			DISTRICT:			COUNTY:				
ROUTE:		KP (P.M.):		EA:		PARCEL NUMBER:				
COMPARABLE #		ADDRESS:				Lot Size Sq. Ft _____				
1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>						Similar <input type="checkbox"/> Larger <input type="checkbox"/> Smaller <input type="checkbox"/> to Displacement				
NO. BEDROOMS	NO. BATHS	TOTAL ROOMS	LIVING AREA SF	AGE	QUALITY	CONDITION	YARD IMP.	GARAGE	CARPORT	POOL
LISTING PRICE:		PUBLIC AND COMMON FACILITIES:			PUBLIC UTILITIES:			MONTHLY RENT:		
\$ _____		<input type="checkbox"/> YES <input type="checkbox"/> NO			<input type="checkbox"/> YES <input type="checkbox"/> NO			\$ _____		
LIST COMPARABLE'S MAJOR EXTERIOR ATTRIBUTES:								including utilities:		

ADVERSE ENVIRONMENTAL CONDITIONS: YES NO

REMARKS: Is Comparable Equal to Better than the Displacement Property? Explain.

Distance (Miles)

Public Transportation

Employment Centers

Shopping Facilities

Schools

Freeway Access

ATTACH PHOTO:

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

CHAPTER 10

Relocation Assistance Table of Contents

EXHIBITS

<u>Exhibit No.</u>	<u>Title</u>
10-EX-1	Relocation File Closeout Checklists
10-EX-2	Business Search Expense Summary
10-EX-3	Relocation Impact Memorandum
10-EX-3A	Relocation Impact Statement
10-EX-4	Relocation Impact Report
10-EX-4A	RAP Planning Document
10-EX-4B	Hold for Future Use
10-EX-5	Relocation Impact Document - Questionnaire
10-EX-5A	Hold for Future Use
10-EX-5B	Hold for Future Use
10-EX-6	Explanatory Letter When Mailing Surveys
10-EX-7	Hold for Future Use
10-EX-8	Right of Way and Environmental Responsibilities
10-EX-9	Assignment of Funds to an Escrow
10-EX-10	Assignment of Funds
10-EX-11	Escrow Instructions (Format) Work Sheet
10-EX-12	Agreement to Abandonment of Personal Property
10-EX-13	Request for Old Loan Information Before Close of Escrow
10-EX-14	Request for Old Loan Information After Close of Escrow
10-EX-15	Interest Differential Calculation Procedures
10-EX-16	Mortgage Insurance Premium (MIP) Calculation
10-EX-17	Rental Assistance Payments by Installments
10-EX-18	Rental Assistance Payment to Landlord
10-EX-19	Replacement Housing Valuations
10-EX-20	Replacement Housing Valuation Request
10-EX-21	Mobile Home Benefit Tables
10-EX-22	Guidance on Converting a Rent Differential (RD) to a Down Payment (DP) for a Mobile Home
10-EX-23	Certification of Mobile Home Title Transfer
10-EX-24	Verification of Installation and Occupancy of Mobile Home
10-EX-25	Proration for Divorced or Separated Couples
10-EX-26	Gross Income for the Purpose of Calculating Rent Differentials
10-EX-27	Processing MSA Claims
10-EX-28	Timelines for Residential Occupants to Occupy and File Claim
10-EX-29	Replacement Housing Valuations - FHWA Guidance

Exhibit No.**Title**

10-EX-30	FHWA Guidance on Reestablishment
10-EX-31	Reminder Letter to Displacee re: Time Frames
10-EX-32	Certified Inventory - Nonresidential
10-EX-33	Nonresidential Letter to Displacee re: Available Assistance
10-EX-34	FHWA Guidance on Determining Multiple Households
10-EX-35	Nonresidential Interview Checklist
10-EX-36	Guidelines for Developing Moving Specifications
10-EX-37	Guidelines for Monitoring a Nonresidential Move
10-EX-38	Self-Move Agreement
10-EX-39	Notice of Eligibility - 90-Day and Non-Tenured Occupant(s)
10-EX-40	Conditional Entitlement Letter - 90-Day and Non-Tenured Occupant(s)
10-EX-41	Notice of Eligibility - Subsequent Occupant(s)
10-EX-42	Conditional Entitlement Letter - Subsequent Occupant(s)
10-EX-43	Notice of Eligibility - Business, Farm or Nonprofit Organization
10-EX-44	Last Resort Housing Guidelines
10-EX-45	Conditional Entitlement Letter - 90-Day Owner-Occupant
10-EX-46	Notice of Eligibility - Personal Property Only
10-EX-47	Notice of Eligibility - 90-Day Owner-Occupant Mobile Home
10-EX-48	Conditional Entitlement Letter - 90-Day Owner-Occupant Mobile Home
10-EX-49	Notice of Eligibility - 90-Day Owner-Occupant
10-EX-50	Notice of Eligibility - Nonoccupant Owner Leasing Space to Others

NONRESIDENTIAL FILE CLOSEOUT CHECKLIST

Name _____ File Reference _____

All documents should be in chronological order starting from the back to front:

- _____ 1. Parcel Occupancy Data Sheet (RW 7-2, completed by Appraiser)
- _____ 2. Title VI/General Information Letter (RW 10-7)
- _____ 3. U. S. Legal Residency Certification Form (RW 10-44 or RW 10-44s)
- _____ 4. If Lessee, Owner’s Certification of Tenants (RW 10-1, completed by Acquisition Agent)
- _____ 5. Notice of Eligibility - Business, Farm, or Nonprofit Organization (10-EX-43)
- _____ 6. Nonresidential Letter to Displacee Re: Available Assistance (10-EX-33)
- _____ 7. Reminder Letter to Displacee Re: Time Frames (10-EX-31)
- _____ 8. Chronological order of claims paid. Be sure to have proper Accounting documents in file and arranged in same order when processing a claim for Senior review and approval.
- _____ 9. Acquisition Agent RAP Agent presented First RAP Call and completed and signed diary entry and check-off list.
- _____ 10. All files should have copies of the State’s Close of Escrow (pink slip), or Final Order of Condemnation (except Business Lessees).
- _____ 11. If claimant becomes a State tenant, include a Property Management Vacancy report.
- _____ 12. All diary entries, letters, and notices **must be signed** in full - not initialed.
- _____ 13. All claims must be date stamped. Verify vacancy before issuing move check.
- _____ 14. When Business RAP payments have been made, include “Notice of In-Lieu Payment or Reestablishment Expenses” form (RW 10-38).
- _____ 15. DISCARD ALL DUPLICATE PAPERWORK AND UNUSED CLAIM FORMS. Print copy of the ROWMIS screen.
- _____ 16. Appeal Expiration Date: _____
- _____ 17. ALL FINAL DIARY ENTRIES SHOULD STATE: “All payments were made in a timely manner. Documentation is complete. I recommend this file to be closed.”

CLOSED BY: _____ DATE: _____

RELOCATION FILE CLOSEOUT CHECKLISTS (Cont.)

(Form #)

EXHIBIT

10-EX-1 (REV 10/2014)

Page 2 of 3

RESIDENTIAL OWNER FILE CLOSEOUT CHECKLIST

Name _____

File Reference _____

Includes: 90-Day Owner-Occupants and 90-Day Owner-Occupants of Mobile Homes

All documents should be in chronological order starting from the back to front:

- _____ 1. Parcel Occupancy Data Sheet (RW 7-2, completed by Appraiser)
- _____ 2. Title VI/General Information Letter (RW 10-7). **Survey form to be kept in separate project file.**
- _____ 3. U. S. Legal Residency Certification Form (RW 10-44 or RW 10-44s)
- _____ 4. Certificate of Occupancy and Receipt of Relocation Information (RW 10-25). Number of rooms on this form should match Conditional Entitlement Letter.
- _____ 5. Notice of Eligibility - 10-EX-49 10-EX-47
- _____ 6. Conditional Entitlement Letter - 10-EX-45 10-EX-48
- _____ 7. Reminder Letter to Displacee Re: Time Frames (10-EX-31)
- _____ 8. Chronological order of claims paid. Be sure to have proper Accounting documents in file and arranged in same order when processing a claim for Senior review and approval.
- _____ 9. All files should have copies of the State’s Close of Escrow (pink slip), or Final Order of Condemnation (except Business Lessees).
- _____ 10. If claimant becomes a State tenant, include a Property Management Vacancy report.
- _____ 11. If State participates with monies on a replacement, must have completed and approved Decent, Safe, and Sanitary form (RW 10-40), Final Certified Closing Cost Statement, Assignment of Funds to an Escrow (10-EX-9), Escrow Instructions (10-EX-11), and Payee Data Record (STD. 204).
- _____ 12. Complete dates on all claim forms “pending” actual dates.
- _____ 13. All diary entries, letters, and notices **must be signed** in full - not initialed.
- _____ 14. All claims and RHVs must be date stamped and have dollar amounts where appropriate. Verify vacancy before issuing move check.
- _____ 15. If categorized as Last Resort Housing (e.g., when RHP exceeds \$22,500), then “Last Resort Housing” must be identified in the ROWMIS database.
- _____ 16. Complete all entries on front of diary sheet. Acquisition Agent should complete and sign the First RAP Call check-off list at FWO.
- _____ 17. If displacee buys a replacement, include a copy of the certified closing statement and make sure it has reconciled and the monies were applied in accordance with our escrow instructions.
- _____ 18. If displacee used MSA, make sure all utility reconnection charges have been paid.
- _____ 19. DISCARD ALL DUPLICATE PAPERWORK AND UNUSED CLAIM FORMS. Print copy of the ROWMIS screen.
- _____ 20. Appeal Expiration Date: _____
- _____ 21. ALL FINAL DIARY ENTRIES SHOULD STATE: “All payments were made in a timely manner. Documentation is complete. I recommend this file to be closed.”

CLOSED BY: _____

DATE: _____

RESIDENTIAL OCCUPANT FILE CLOSEOUT CHECKLIST

Name _____

File Reference _____

Includes: 90-Day Owner and Tenant Occupants, Non-Tenured (Less Than 90-Day) Occupants, Subsequent (Post-Offer) Occupants and Residential Personal Property Only

All documents should be in chronological order starting from the back to front:

- _____ 1. Parcel Occupancy Data Sheet (RW 7-2, completed by Appraiser)
- _____ 2. Title VI/General Information Letter (RW 10-7). **Survey form to be kept in separate project file.**
- _____ 3. U. S. Legal Residency Certification Form (RW 10-44 or RW 10-44s)
- _____ 4. Owner’s Certification of Tenants (RW 10-1, completed by Acquisition Agent)
- _____ 5. Certificate of Occupancy and Receipt of Relocation Information (RW 10-25). Number of rooms on this form should match Conditional Entitlement Letter.
- _____ 6. Notice of Eligibility - 10-EX-39 10-EX-41 10-EX-46
- _____ 7. Conditional Entitlement Letter - 10-EX-40 10-EX-42
- _____ 8. Reminder Letter to Displacee Re: Time Frames (10-EX-31)
- _____ 9. Chronological order of claims paid. Be sure to have proper Accounting documents in file and arranged in same order when processing a claim for Senior review and approval. Verify vacancy before move money can be issued. Get keys from displacee.
- _____ 10. All files should have copies of the State’s Close of Escrow (pink slip); some files are N/A.
- _____ 11. If claimant becomes a State tenant, include a Property Management Vacancy report.
- _____ 12. If State participates with monies on a replacement, must have completed and approved Decent, Safe, and Sanitary form (RW 10-40), Final Certified Closing Cost Statement, Assignment of Funds to an Escrow (10-EX-9), Escrow Instructions (10-EX-11), and Payee Data Record (STD. 204).
- _____ 13. Complete dates on all claim forms “pending” actual dates.
- _____ 14. All diary entries, letters, and notices **must be signed** in full - not initialed.
- _____ 15. If categorized as Last Resort Housing (e.g., when RHP exceeds \$5,250), then “Last Resort Housing” must be identified in the ROWMIS database.
- _____ 16. Complete all entries on front of diary sheet. Acquisition Agent should complete and sign the First RAP Call check-off list at FWO.
- _____ 17. If displacee buys a replacement, include a copy of the certified closing statement and make sure it has reconciled and the monies were applied in accordance with our escrow instructions.
- _____ 18. If displacee used MSA, make sure all utility reconnection charges have been paid.
- _____ 19. **DISCARD ALL DUPLICATE PAPERWORK AND UNUSED CLAIM FORMS.** Print copy of the ROWMIS screen.
- _____ 20. Appeal Expiration Date: _____
- _____ 21. **ALL FINAL DIARY ENTRIES SHOULD STATE:** “All payments were made in a timely manner. Documentation is complete. I recommend this file to be closed.”

CLOSED BY: _____

DATE: _____

MOBILE HOME BENEFIT TABLES

(Form #)

TABLE NO. 1 REPLACEMENT HOUSING PAYMENTS for 90 DAY OWNER-OCCUPANTS OF MOBILE HOMES

Did the Department Acquire the Mobile Home Unit?	Displacee Purchased a Replacement		Displacee Rented a Replacement		Total Maximum Benefit before Last Resort Housing Provisions Apply	Replacement housing payment based on the following and subject to "spend-to-get". Note: Must have owned and occupied BOTH the mobile home on the mobile home site for at least 180 days prior to the FWO.
	Mobile Home	Site	Mobile Home	Site		
Yes	X	X			\$31,000	Cost of purchasing comparable replacement mobile home and site.
Yes			X	X	\$7,200, no LRH	Cost of renting comparable replacement mobile home and site. (Use economic rent of displacement.)
Yes	X			X	\$31,000 \$7,200, no LRH	(a) Purchase differential for mobile home based on cost of purchasing a comparable replacement mobile home. (b) Rent differential for site based on cost of renting a comparable replacement site (less economic rent of displacement site). Rent differential can not exceed \$7,200. (c) Add results from (a) and (b) to get total replacement housing payments. If total over \$31,000 pay in accordance with LRH provisions.
Yes		X	X		\$31,000 \$7,200, no LRH	(a) Purchase differential for mobile home site based on cost of purchasing a comparable replacement mobile home. (b) Rent differential for site based on cost of renting a comparable replacement mobile home unit (less economic rent of displacement site). Rent differential can not exceed \$7,200. (c) Add results from (a) and (b) to get total replacement housing payments. If total over \$31,000 pay in accordance with LRH provisions.
No	Moved it	X			\$31,000	Cost of purchasing comparable replacement site.
No	Moved it			X	\$7,200, no LRH	Cost of renting comparable replacement site.

TABLE NO. 2 REPLACEMENT HOUSING PAYMENTS for 90 DAY OWNER-OCCUPANTS OF MOBILE HOMES

Did the Department Acquire the Mobile Home Unit?	Displacee Purchased a Replacement		Displacee Rented a Replacement		Total Maximum Benefit before Last Resort Housing Provisions Apply	Replacement housing payment based on the following and subject to "spend-to-get". Note: Must have owned and occupied the mobile home on the RENTED mobile home site for at least 180 days prior to the FWO.
	Mobile Home	Site	Mobile Home	Site		
Yes	X			X	31,000	Cost of purchasing comparable replacement mobile home plus cost of renting comparable replacement site.
Yes			X	X	7,200	Cost of renting comparable replacement mobile home and site.
Yes	X	X			31,000	Cost of purchasing a comparable replacement mobile home. Rent differential for site applied to down payment for the purchase of replacement site.
Yes		X	X		7,200	Rent differential for mobile home based on cost of renting a comparable replacement mobile home, and not to exceed \$7,200. Rent differential for site applied to down payment for the purchase of replacement site.
No	Moved It			X	7,200	Cost of purchasing comparable replacement mobile home and site.
No	Moved It	X			7,200	Cost of renting comparable replacement site applied to down payment for the purchase of a replacement site.

MOBILE HOME BENEFIT TABLES (Cont.)

(Form #)

TABLE NO. 3 REPLACEMENT HOUSING PAYMENTS FOR 90-DAY TENANT OCCUPANTS OF MOBILE HOMES

Status of the Mobile Home Site	Displacee Purchased a Replacement		Displacee Rented a Replacement		Total Maximum Benefit before Last Resort Housing Provisions Apply	Replacement housing payment based on the following and subject to "spend-to-get". Note: Rented and occupied the mobile home unit on the mobile home site (owned or rented).
	Mobile Home	Site	Mobile Home	Site		
Owned	X			X	7,200	Rent Differential based on the economic rent of the mobile home site, and the actual rent of the mobile home unit. Compared to a comparable mobile home unit and site available for rent. Spend to Get based on the actual rent of the replacement site, with the balance of the Rent Differential being applied to the down payment of the mobile home unit.
Owned			X	X	7,200	Rent Differential based on the economic rent of the mobile home site, and the actual rent of the mobile home unit. Compared to a comparable mobile home unit and site available for rent. Spend to Get based on the actual rent of the replacement mobile home and site. Can also be applied to the rental of a conventional dwelling.
Owned	X	X			7,200	Rent Differential based on the economic rent of the mobile home site, and the actual rent of the mobile home unit. Compared to a comparable mobile home unit and site available for rent. Spend to Get based on the necessary down payment of the mobile home unit and site.. Can also be applied to the purchase of a conventional dwelling.
Owned		X	X		7,200	Rent Differential based on the economic rent of the mobile home site, and the actual rent of the mobile home unit. Compared to a comparable mobile home unit and site available for rent. Spend to Get based on the actual rent of the replacement mobile home unit with the balance of the Rent Differential being applied to the down payment of the mobile home site.
Rented	X			X	7,200	Rent Differential based on the actual rent of the mobile home unit and site, compared to a comparable mobile home unit and site available for rent. Spend to Get based on the actual rent of the replacement site with the balance of the Rent Differential being applied to the down payment of the mobile home site.
Rented			X	X	7,200	Rent Differential based on the actual rent of the mobile home unit and site, compared to a comparable mobile home unit and site available for rent. Spend to Get based on the actual rent of the replacement mobile home and site. Can also be applied to the rental of a conventional dwelling.
Rented	X	X			7,200	Rent Differential based on the actual rent of the mobile home unit and site, compared to a comparable mobile home unit and site available for rent. Spend to Get based on the necessary down payment of the mobile home unit and site. Can also be applied to the purchase of a conventional dwelling.
Rented		X	X		7,200	Rent Differential based on the actual rent of the mobile home unit and site, compared to a comparable mobile home unit and site available for rent. Spend to Get based on the actual rent of the replacement mobile home unit with the balance of the Rent Differential being applied to the down payment of the mobile home site.

PRORATION - DIVORCED OR SEPARATED COUPLES

Tenure	Moving Expenses		Replacement Housing Payment		
	Scheduled Moves	Actual Moves	Both Rent	Both Purchase	One Rents/One Purchases
90-Day Occupant	Determine that amount the "family" would have received if they had relocated together (actual cost or scheduled method); prorate the amount to each party by applying the agreed percentage division allocation. This percentage division may be different from the replacement housing payment division.	Each occupant who moves to a separate replacement dwelling is entitled to the actual reasonable cost incurred in moving their personal property up to 50 miles.	<p>RENT DIFFERENTIAL</p> <p>Determine the amount the "family" would have received as a rental replacement housing entitlement if they had relocated together and prorate the amount to each party by applying the agreed percentage division payment. The aggregate rent paid by the parties is the amount of the replacement rent used to calculate the rent differential.</p>	<p>Convert RENT DIFFERENTIAL TO DOWN-PAYMENT</p> <ol style="list-style-type: none"> Determine the total amount they would have received (exclusive of incidental costs) if they had relocated as a "family." Prorate the amount for each party, applying the agreed percentage division to the unmatched share. Add the pro rata share of the eligible incidental costs for each replacement property. Total payment to each party cannot exceed the lesser of (a) the pro rata share of the family's maximum entitlement, or (b) the pro rata share of the maximum \$7,200 payment. <p>Example:</p> <p>The agreed division is 60% for the wife and 40% for the husband. The State's maximum contribution would be \$4,320 for the wife and \$2,880 for the husband. <i>Why? Add what was PD, what they bought (spend-to-get), DS&S.</i></p>	<p>RENT DIFFERENTIAL for one, Convert RENT DIFFERENTIAL to DOWN-PAYMENT for other</p> <p>Apply rental criteria to the one that rents and purchase criteria to the one that purchases, same as above.</p> <ol style="list-style-type: none"> If the displacement rental rate is determined by 30% of gross income, then the family income is to be determined in the normal manner. The total rent supplement is then divided between the parties per the displacee's agreement. If one party rents and is to be paid their agreed upon portion, then any down-payment option by the second party is limited to their agreed-upon portion of the rental supplement. <p>If the rental supplement is less than \$7,200 and both parties opt for down payments, then the sum of \$7,200 is divided between the two in their agreed upon portions, such sums are to be applied to purchase price.</p> <ol style="list-style-type: none"> In any split rental benefit situation, the District may pay each party the total of their entitlement. The District must verify that each party rents and occupies separate residences.

PRORATION FOR DIVORCED OR SEPARATED COUPLES (Cont.)

(Form #)

Tenure	Moving Expenses		Replacement Housing Payment		
	Scheduled Moves	Actual Moves	Both Rent	Both Purchase	One Rents/One Purchases
90-Day Owner	Determine that amount the "family" would have received if they had relocated together (actual cost or scheduled method); prorate the amount to each party by applying the agreed percentage division allocation. This percentage division may be different from the replacement housing payment division.	Each occupant who moves to a separate replacement dwelling is entitled to the actual reasonable cost incurred in moving their personal property, up to 50 miles	RENT DIFFERENTIAL based on economic rent (up to limit)	<p>RHP - PRICE DIFFERENTIAL, INCIDENTAL EXPENSES, MORTGAGE DIFFERENTIAL</p> <p>Each party would be entitled to the following:</p> <ul style="list-style-type: none"> Price Differential Payment - The computation is based on the difference between the pro rata share of the amount paid for the State acquired property (fair market value) and the pro rata share of the Department's calculated replacement cost. The actual payment is based on the amount spent in excess of the pro rata share of the fair market value payment (State-acquired property) not to exceed the pro rata share of the calculated replacement cost. Incidental Cost Payment - Determine the eligible incidental costs applicable to the first occupant's (e.g., husband) replacement property and apply the percentage division. Repeat the process for second occupant's (e.g., wife) entitlement based on her replacement property. Interest Differential Payment - Normal calculations based on a comparison of old loan data and the husband's replacement loan. Apply the percentage division. Repeat the process for the wife's entitlement based on her replacement property. 	<p>RHP for one, RD for other (How?)</p> <p>Apply rental criteria to the one that rents and purchase criteria to the one that purchases, same as above.</p>

TIMELINES FOR RESIDENTIAL OCCUPANTS TO OCCUPY AND FILE CLAIM

10-EX-28 (REV 10/2014)

(Form #)

TIMELINES FOR RESIDENTIAL DISPLACED TO:

- Receive Benefits
- Occupy Replacement Property
- File a Claim for Benefits

90-day Owner-Occupants:

1. Must be in occupancy 90 days prior to the First Written Offer to acquire the property.
2. Must occupy replacement property within 1 year of the later:
 - Final payment (COE or FOC).
 - Provided the address of a comparable available property.
3. Must file a claim within 18 months of the later:
 - Final payment (COE or FOC).
 - Vacating the property.

Example 1:

5/1/08	7/1/08	9/1/08	11/1/08	11/1/09	5/1/10 (18 months from FOC date)
FWO	Address	Vacate	FOC	Occupy	Claim

Example 2:

5/1/08	7/1/08	9/1/08	10/1/08	10/1/09	3/1/10 (18 months from vacate date)
FWO	COE	Vacate	Address	Occupy	Claim

Example 2 only allows 5 months from occupancy date **to file the claim** because the 18 months begins to run on the date they vacated (9/1/08) not the date of COE (7/1/08). Note: Region/District can extend the time period to occupy and file with good cause. Region/District should provide displacee with the time periods in writing once they have 1) vacated, 2) been provided an address, 3) received final payment.

90-day Occupants – Tenants and Non-Tenured (<90 days) Occupants:

1. Must be in occupancy prior to the First Written Offer to acquire the property.
2. Must occupy replacement property within 1 year of the date of:
 - Vacating the property
3. Must file a claim within 18 months of the date of:
 - Vacating the property

Example 1:

5/1/08	9/1/08	9/1/09	3/1/10
FWO	Vacate	Occupy	Claim

Note: Everyone receives moving expenses and advisory assistance regardless of the number of days in occupancy prior to the First Written Offer up to the date the State takes control of the property. Subsequent occupants (post offer) qualify for rental assistance and the same time periods run; but they cannot vacate until the State takes control of the property.

ADA Notice

For individuals with disabilities, this document is available in alternate formats. For information, call (916) 654-5413 Voice, CRS: 1-800-735-2929, or write Right of Way, 1120 N Street, MS-37, Sacramento, CA 95814.

ISSUE: New construction at the replacement site.

The cost of constructing a new business building on the vacant replacement property is a capital expenditure and is generally ineligible for reimbursement as a reestablishment expense. In those rare instances when a business cannot relocate without construction of a replacement structure, a displacing agency may request a waiver of Part 24.304(b)(1) under the provisions of 49 CFR 24.7. An example of such an instance would be in a rural area where there are no suitable buildings available and the construction of a replacement structure will enable the business to remain a viable commercial operation. If a waiver is granted, the cost of constructing the new building will be considered an eligible reestablishment expense subject to the \$25,000 statutory limit on such payment.

ISSUE: Displacee occupies a shell structure.

All of the costs listed under 49 CFR 24.304(a) are eligible if considered actual, reasonable and necessary for the operation of the business. In markets where existing and new buildings are available for rental (and sometimes for purchase), the buildings or the various units available within the buildings often have only the basic amenities such as heat, light, and water, and sewer available. These buildings or units are shells. The cost of a building (shell) is not an eligible expense because the shell is considered a capital real estate improvement (a capital asset). However, this determination does not preclude the consideration by an acquiring agency of certain modifications to an existing replacement business building. Eligible improvements or modifications up to the amount of \$25,000 may include the addition of necessary facilities such as bathrooms, room partitions, built-in display cases and similar items, if required by Federal, State or local codes, ordinances, or simply considered reasonable and necessary for the operation of the business.

ISSUE: Costs incurred in complying with OSHA and other code requirements at the replacement location (where the business was not subject to the requirement at the displacement property because of a "grandfather" provision).

Modifications to personal property mandated by Federal, State or local law, code, or ordinance which are necessary to reassemble or reinstall the personal property or adapt it to the replacement structure, the replacement site, or the utilities at the replacement site are eligible for reimbursement under subsection 24.303(a)(3). The modifications authorized by this subsection must be clearly and directly associated with the reinstallation of the personal property and cannot be for general repairs or upgrading of equipment because of the personal choice of the business owner. Finally, the expenditures for authorized modifications must be reasonable and necessary. Costs for repairs, modifications, or improvements to the replacement real property due to the requirements of laws, codes, or ordinances can only be paid under 49 CFR 24.304(a)(1) and are limited to the \$25,000 maximum payment under this subsection.. Any costs in excess of \$25,000 are ineligible.

ISSUE: The nature, character, or type of business established after displacement is different from the business displaced by acquisition.

A change in a displaced business does not affect eligibility for actual, reasonable, and necessary reestablishment expenses incurred in reestablishing a business. In some instances, it is not economically feasible to relocate a particular business operation and a change in the nature, character, or type of business may be the most practical solution for the business operator. Expenditures of funds for reestablishing the business must be reviewed for acceptability. Costs of new or used equipment purchased to serve the changed business operation are not eligible for reimbursement as reestablishment expenses. Similarly, general repairs or improvements to the replacement property made to the structure because of the personal choice of the business operator are ineligible. The costs of utility upgrades and necessary and reasonable modifications to the real property to accommodate the changed business may be eligible when properly supported. All reestablishment payments are limited by the \$25,000 statutory maximum.

REMINDER LETTER TO DISPLACEE RE: TIME FRAMES

(Form #)

Date _____

File Reference _____

Dear _____:

As the displacee of the property located at _____, you are entitled to certain relocation benefits that have been explained to you in detail. This letter is to inform you of the required timelines you must follow in order to receive your full relocation benefits.

SELECT ONLY ONE:

- 1. As the 90-day residential owner, you have 12 months from the later of the following two dates to purchase a replacement dwelling: _____ which was the day the Department provided you with the address of a comparable replacement property, or _____, the date the Department paid you for your property. You have 18 months from the later of the following two dates to file a claim for your moving expenses and/or purchase differential, closing and incidental costs: _____ the close of escrow, or _____ the date you vacated your displacement property at _____. Your purchase differential is \$_____ (amount of original differential). You used \$_____ (amount of original differential used) of your Price Differential, and you now have \$_____ (the remaining amount of differential) available for you to use providing you purchase and occupy a decent, safe, and sanitary dwelling for at least \$_____. You have 24 months from _____ to file an appeal for relocation benefits.

- 2. As the eligible residential tenant, you have 12 months from _____ the date you vacated your displacement property at _____, to obtain a replacement dwelling. You have 18 months from _____ the date you vacated your displacement property at _____ to file a claim for your moving expenses and/or Rent Differential or Down Payment. Your Rent Differential is \$_____ (amount of original differential). You used \$_____ (amount of original differential used) of your Rent Differential, you now have \$_____ (the remaining amount of differential) available for you to use providing you rent and occupy a decent, safe, and sanitary dwelling for at least \$_____. You have 24 months from that same date to file an appeal for relocation benefits.

- 3. As the owner of a nonresidential property, you have 18 months from the later of the following two dates to file a claim for moving expenses: _____ the date you vacated your displacement property at _____, or _____ the date the Department paid you for the displacement property. You have 24 months from that same date to file an appeal for relocation benefits.

- 4. As the tenant/lessee of a nonresidential property, you have 18 months from _____, the date you vacated your displacement property at _____, to file a claim for moving expenses. You have 24 months from that same date to file an appeal for relocation benefits.

If you have any questions, please contact me at _____.

FHWA GUIDANCE ON DETERMINING MULTIPLE HOUSEHOLDS

(Form #)

The RAP Agent will use the following guidance when the displacement property is occupied by multiple persons not in the same household, such as:

- Unrelated persons sharing an apartment.
- Adult children living with their mother and father, who are owners of the property.
- Two or more separate households sharing a house.

49 CFR 24.403(a)(5) states “If two or more occupants of the displacement dwelling move to separate replacement dwellings, each occupant is entitled to a reasonable share, as determined by the Agency, of any relocation payments that would have been made if the occupants moved together to a comparable replacement dwelling. However, if the Agency determines that two or more occupants maintained separate households within the same dwelling, such occupants have separate entitlements to relocation payments.” The RHP will either be a single calculation that will be split between the occupants or it will be multiple calculations specific to each identifiable household.

The RAP Agent must determine if the persons are one household or separate households by obtaining the following information:

1. Separate rental agreements for each household. Or if owner occupied, a separate rental agreement for the secondary households. The agreements should document who pays for utilities and if there is a proration of the utility bill. The agreement should also note the secondary household’s right to use the displacement property’s facilities.
2. Proof of separate rental payments (cashier’s checks, rental receipts) and utilities. A separate household might have certain utilities in their own name (e.g., cable TV, satellite dish, phone service).
3. Each household maintains separate checking and savings accounts.
4. The displacement property is the primary residence of each household as noted on DMV records, voter registration, credit card bills, etc.
5. Separate arrangements for purchasing, preparing and serving food (e.g., separate shelves for food, multiple refrigerators, designated times for cooking). Additionally, the other household activities are separate (e.g., laundry, housekeeping, yard maintenance, entertainment).
6. Type of relationship (e.g., blood, marriage, and cohabitation) between the various members of the households. A landlord that is the parent or grandparent of the tenant usually supports the premise of “one household.”
7. Previous rental agreements by the owner of the property. If the rental agreement with their child is the first time they have rented a bedroom on their own, then they are probably one household.
8. Tax records that indicate the owner claims the rent as income, and the secondary household claims a renter’s credit.
9. Separate vehicles for each household.
10. Certain areas designated for the sole use of each household, or do they share areas commonly (e.g., kitchen, bathrooms, living room)?
11. Maintain separate memberships in health, social, or recreational organizations.

Situations:

- 1) A 90-day owner-occupant rents a bedroom in their house. In this instance, the tenant may be entitled to a Rent Differential separate from any Replacement Housing Payments the owner may be entitled to receive.
- 2) A brother and sister share an apartment with their ailing father. In this instance, the siblings are probably caring for their father and may be assisting with the bills by paying a share of the expenses. In this case, the three persons would be entitled to one Rent Differential.

It should be noted that in all cases the burden of proof is on the displacee that they are clearly maintaining separate households. The RAP Agent must determine how interdependent or not is the living arrangement. In determining whether two or more displacees constitute a single household, all pertinent factors should be considered, including the extent to which the same areas in the dwelling are shared, and the extent to which the financial affairs are commingled. The RAP Agent must apply the same criteria to each situation and use good judgment in that the relocation benefits should be calculated as separate households.

ADA Notice

For individuals with disabilities, this document is available in alternate formats. For information, call (916) 654-5413 Voice, CRS: 1-800-735-2929, or write Right of Way, 1120 N Street, MS-37, Sacramento, CA 95814.

Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation made an offer to purchase the property that you occupied on that date. As the eligible occupant of the property, you are entitled to certain benefits under the Department's Relocation Assistance Program. These benefits are briefly outlined below and are discussed in further detail in the brochure that was given to you.

The total dollar amounts have not been calculated at this time. When you are ready to relocate, you must contact your relocation agent, who will verify your occupancy and your rental rate. Your entitlement will then be calculated. Do not obligate yourself to a replacement dwelling until you have had your entitlement calculated. You will be given at least 90 days' written notice before you will be required to move from the property. As the occupant of the property on the date of the Department's initiation of negotiations, you are entitled to:

1. **RELOCATION ADVISORY ASSISTANCE:** The Department will assist you in finding a replacement residence. If you wish assistance, contact your relocation agent.
2. **MOVING EXPENSES:** You may select payment based on:
 - A. Fixed Moving Schedule based on number of rooms, OR
 - B. Moving Service Authorization where the Department makes direct payment to an approved commercial mover;OR
 - C. Actual Cost Move by for-hire carrier based on written estimate and receipted bills.

Your relocation agent will discuss these options with you.

3. **REPLACEMENT HOUSING PAYMENT:** As the occupant of the property on the date of the Department's initiation of negotiations, you may be eligible for the following benefits:
 - A. **IF YOU RENT REPLACEMENT HOUSING:** A RENT DIFFERENTIAL payment equal to the difference between the lesser of 1) the monthly rental and estimated average monthly cost of utilities for a comparable replacement dwelling as determined by the Department, or 2) the actual monthly rental of your replacement dwelling and estimated average monthly cost of utilities, AND the base monthly rent during the three months immediately prior to vacation from the displacement dwelling, multiplied times 42. Base monthly rent is defined as the lesser of 1) the average monthly cost for rent and utilities at the displacement dwelling, 2) 30% of the household's gross monthly household income based on your Income Certification, if the total amount is classified as "low income" by the U.S. Department of Housing and Urban Development, or 3) if receiving a welfare assistance payment, the portion of such payment that is specifically designated for shelter and utilities. The Rent Differential is paid in a single payment or in semiannual installments, depending on the payment amount.
 - B. **IF YOU BUY A REPLACEMENT DWELLING:** You may convert the Rent Differential to a Down Payment and certain nonrecurring incidental expenses for a replacement dwelling. In the event the Rent Differential is less than \$7,200, the State will pay the full amount of \$7,200 to be used as a Down Payment and/or payment for incidental purchase expenses. All amounts used as down payments and incidental expenses must be applied to the purchase of the replacement dwelling.

**NOTICE OF ELIGIBILITY - 90-DAY AND NON-TENURED
OCCUPANT(S) (Cont.)**

(Form #)

EXHIBIT
10-EX-39 (REV 10/2014)
Page 2 of 2

You do not have to accept any dwelling referred to you by the Department. You may choose your own replacement, but it must be decent, safe, and sanitary to qualify for replacement housing payments.

To avoid losing part or all of your relocation benefits, **DO NOT MOVE** from your home and **DO NOT CONTRACT** to rent or purchase a replacement dwelling without first contacting your relocation agent whose name is shown below.

The Relocation Assistance Program is very complex; it is important that you read and understand the matters explained in the Uniform Relocation Assistance Program (Residential) brochure which relate to your eligibility. If at any time in the future you want assistance, please contact your relocation agent by writing, telephoning, or visiting him/her at the address listed below.

IMPORTANT: To receive the replacement housing payments outlined under item 3 above, you as an owner-occupant must rent or purchase and occupy your replacement dwelling within one year from the later of the following two dates: 1) the date you move from the displacement dwelling, or 2) the date the Department has paid the acquisition cost of your current dwelling (usually the close of escrow on the State's acquisition). If you are a 90-day tenant occupant, to be eligible for a rental assistance payment, you must rent and occupy or purchase and occupy a decent, safe, and sanitary dwelling within one year after you move from the displacement dwelling. Failure to act within the one-year period could result in loss of all replacement housing benefits.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____

Displacee's signature _____

ADA Notice

For individuals with disabilities, this document is available in alternate formats. For information, call (916) 654-5413 Voice, CRS: 1-800-735-2929, or write Right of Way, 1120 N Street, MS-37, Sacramento, CA 95814.

**CONDITIONAL ENTITLEMENT LETTER -
90-DAY AND NON-TENURED OCCUPANT(S) (Cont.)**

(Form #)

EXHIBIT
10-EX-40 (REV 10/2014)
Page 2 of 2

This Rent Differential payment amount is available for a period of ninety (90) days from the date of this letter. If you do not rent a replacement property within that time period, this amount will be automatically withdrawn and another calculation will be made at a later date. Should you wish another estimate of your entitlement at a later date, please contact your relocation agent.

Benefits are paid in a single payment or in semiannual installments, depending on the payment amount. These payments should be used to reduce the monthly rent payments at the replacement property. If you do not wish to rent and occupy a replacement dwelling, you may purchase a replacement dwelling and receive assistance in making the down payment. If you are interested in this alternative, ask your relocation agent to provide additional information.

REMEMBER: To receive the replacement housing payments outlined under item 2 above, you as an owner-occupant must rent or purchase and occupy your replacement dwelling within one year from the later of the following two dates: 1) the date you move from the displacement dwelling, or 2) the date the Department has paid the acquisition cost of your current dwelling (usually the close of escrow on the State's acquisition). If you are a tenant occupant, to be eligible for a rental assistance payment, you must rent and occupy or purchase and occupy a decent, safe, and sanitary dwelling within one year after you move from the displacement dwelling. Failure to act within the one-year period could result in loss of all replacement housing benefits.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____

Displacee's signature _____

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Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation made an offer to purchase all or a portion of the property which you occupy. As the eligible occupant of the property, you are entitled to certain benefits under the Department's Relocation Assistance Program. These benefits are outlined below. It is important that you understand the conditions described below which must be met before any payments can be made. Please contact me before you incur any expense.

As the occupant of the property, you are entitled to options 1, 2, and 3 below or you may choose option 4:

1. **RELOCATION ADVISORY ASSISTANCE:** The Department will help you find a new place to conduct your business, farm, or nonprofit organization. Information on and maps of available properties, typical real estate purchase and rental costs, and the services offered by other agencies in the area are also available. If you want assistance, contact your relocation agent.
2. **MOVING AND RELATED EXPENSES:** Businesses, farms, and nonprofit organizations may be paid on the basis of actual reasonable moving and related costs and reestablishment expenses as the Department determines to be reasonable and necessary or, under certain circumstances, a fixed payment. The moving expenses listed below may be considered by the Department:
 - a. Transportation of personal property limited to 50 miles or less. Distances beyond 50 miles are not eligible, unless the Department determines that relocation beyond 50 miles is justified.
 - b. Packing, crating, unpacking, and uncrating of the personal property.
 - c. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and certain substitute personal property. This includes connection to utilities available nearby. It also includes modifications to personal property necessary to adapt it to the replacement site, or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property.
 - d. Storage of the personal property not to exceed 12 months, unless the Department determines that it is not necessary, or that a longer period is necessary. These expenses must be preapproved.
 - e. Insurance for the replacement value of the personal property in connection with the move and necessary storage.
 - f. Any license, permit, fees or certification required of your operation at the replacement location. However, the payment shall be based on the remaining useful life of your existing license, permit, or certification.
 - g. The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of your own, your agent, or your employee) where insurance covering such loss, theft, or damage is not reasonably available.
 - h. Professional services necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing the relocated personal property at the replacement location, subject to the Department's determination that these services are necessary. These expenses must be preapproved.
 - i. Relettering signs and replacing stationary on hand at the time of displacement that is made obsolete as a result of the move.

**NOTICE OF ELIGIBILITY - BUSINESS, FARM OR
NONPROFIT ORGANIZATION (Cont.)**

(Form #)

EXHIBIT

10-EX-43 (REV 10/2014)

Page 2 of 4

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- j. Actual direct loss of tangible personal property incurred as a result of moving or discontinuing your operation. The payment shall consist of the lesser of:
- (i) The fair market value of the item for continued use at the displacement site, less the proceeds from its sale. (To be eligible for payment, you must make a good faith effort to sell the personal property, unless the Department determines that such effort is not necessary. When payment for property loss is claimed for goods held for sale, the fair market value shall be based on the cost of the goods to the business, not the potential selling price.); or
 - (ii) The estimated cost of moving the item, but with no allowance for storage nor reassembly of discontinued items. (If your operation is discontinued, the estimated cost shall be based on a moving distance of 50 miles.)
- k. The reasonable cost incurred in attempting to sell an item that is not to be relocated.
- l. Purchase of substitute personal property. If an item of personal property which is used as part of your operation is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, you will be entitled to payment for the lesser of:
- (i) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or
 - (ii) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department, but with no allowance for storage.
- m. Searching for a replacement location. You are entitled to reimbursement for actual expenses, not to exceed \$2,500, as the Department determines to be reasonable, which are incurred in searching for a replacement location including:
- (i) Transportation.
 - (ii) Meals and lodging away from home.
 - (iii) Time spent searching, based on reasonable salary or earnings.
 - (iv) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site.
- n. Other moving related expenses as the Department determines to be reasonable and necessary.
- o. Provision of utilities from right of way to improvements on the replacement site.
- p. Professional services in connection with the purchase or lease of a replacement site.
- q. Impact fees or one-time assessments for anticipated heavy utility usage.
- r. High Bulk/Low Value payment will allow a payment for personalty that is worth less than the cost to move it to the replacement property as determined by the Department. The moving payment shall not exceed the amount, which you would receive if the property were sold at the site.

CAUTION: In order to qualify for reimbursement of the above-described expenses, you **MUST**:

- A. Provide the Department with a certified list or inventory of the items to be moved at least 30 days in advance of the start of your move;
- B. Notify the Department at least 15 days in advance of the date of the start of your move or disposition of your property;
- C. Permit the Department to monitor the move; and
- D. Permit the Department to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

Failure to comply with any of the above four (4) requirements may result in your losing part or all of your benefits. You should also be aware that you are not entitled to payment, under the relocation regulations, for: The cost of moving any structure or other real property improvement in which you reserved ownership; Interest on a loan to cover moving expenses; or

- Loss of goodwill;
 - Loss of profits;
-

**NOTICE OF ELIGIBILITY - BUSINESS, FARM OR
NONPROFIT ORGANIZATION (Cont.)**

(Form #)

EXHIBIT
10-EX-43 (REV 10/2014)
Page 3 of 4

- Loss of trained employees;
- Personal injury; or
- Costs for storage of personal property on real property owned or leased by the displaced person.

You may move either by commercial mover or take full responsibility for all or part of the move. If you elect a "self-move," the Department must first obtain at least two (2) acceptable bids or estimates.

-AND-

- 3. REESTABLISHMENT EXPENSES:** In addition to payments available above, a small business, farm, or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000, for expenses actually incurred in relocating and reestablishing at a replacement site. Reestablishment expenses must be reasonable and necessary as determined by the Department. They include, but are not limited to, the following:
- a. Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.
 - b. Modifications to replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
 - c. Construction and installation costs for exterior signing to advertise the business.
 - d. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting.
 - e. Advertisement of replacement location.
 - f. Estimated increased costs of operation during the first two years at the replacement site for such items as:
 - 1) Lease or rental charges,
 - 2) Personal or real property taxes,
 - 3) Insurance premiums,
 - 4) Utility charges, excluding impact fees.

You should be aware that you are not entitled to payment under reestablishment regulations for any of the following:

- a. Purchase of capital assets, such as office furniture, filing cabinets, machinery, or trade fixtures.
- b. Purchase of manufacturing material, production supplies, product inventory, or other items used in the normal course of business operation.
- c. Interior or exterior refurbishments at the replacement site, which are purely aesthetic in purpose except as, paid in "d" above.
- d. Interest on money borrowed to make the move or purchase the replacement property.
- e. Payment to a part-time business or in the home, which does not contribute materially to the household income.

-OR-

- 4. FIXED PAYMENT IN LIEU OF PAYMENT FOR ACTUAL MOVING AND RELATED EXPENSES AND REESTABLISHMENT EXPENSES:** In lieu of a payment for actual moving and related expenses and reestablishment expenses, you may elect to receive an amount equal to your business' recent average annual net earnings in an amount not less than \$1,000 nor more than \$40,000. A displaced business is eligible for the payment if the Department determines that:
- 1) The business owns or rents personal property, which must be moved in connection with such displacement and for which an expense would be incurred in such move; and the business vacates or relocates from its displacement site.
 - 2) The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A business is assumed to meet this test unless the Department determines that it will not suffer a substantial loss of its existing patronage.
 - 3) The business is not part of a commercial enterprise having more than three other entities which are not being acquired by the Department, and which are under the same ownership and engaged in the same or similar business activities.
 - 4) The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.

**NOTICE OF ELIGIBILITY - BUSINESS, FARM OR
NONPROFIT ORGANIZATION (Cont.)**

(Form #)

- 5) The business is not operated at the displacement site solely for the purpose of renting the site to others.
- 6) The business contributed materially to the income of the displaced person during the two taxable years prior to displacement.

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

If you lease or rent from the Department, failure to pay necessary rental payments to the Department may reduce the relocation payment that you will receive.

Moving and related payments are not considered as income for the purposes of personal income tax laws. Furthermore, these payments are not considered income or resources to recipients of public assistance. Relocation payments are normally made within 60 days of the date that your completed claim is received by the Department.

You will be given at least 90 days' written notice before you will be required to move from the property.

It is important that you understand the matters explained above which relate to your eligibility. If at any time you want assistance, please contact your relocation agent by writing, telephoning, or visiting him/her at the address listed below.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____ Displacee's signature _____

ADA Notice

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Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation initiated negotiations to purchase the property that you occupied on that date and you were given written notice of your potential relocation benefits. In addition to the 90-day notice and advisory assistance, you may be entitled to the following monetary benefits:

1. **MOVING EXPENSES:** Depending on your situation, you may select one of the following options. In rare circumstances, you may be eligible for a combination of the following. You must discuss this fully with your relocation agent.
 - A. Moving Expense Schedule based on number of rooms. Your entitlement under this option is \$_____ based on _____ rooms of personal property. This entitlement includes a dislocation allowance to connect utilities and/or appliances at the replacement site. OR
 - B. Moving Service Authorization where the Department makes direct payment to an approved commercial mover (see attached list of eligible movers for your area). OR
 - C. Actual Cost Move by for-hire carrier based on the lowest of two written estimates you obtain and submit to the Department. Payment will only be made after you submit paid invoices and proof of payment to the Department.

2. **REPLACEMENT HOUSING PAYMENT:**

- A. Should you choose to purchase a replacement property, you may be eligible to receive a PRICE DIFFERENTIAL based on the cost of a comparable dwelling such as the one located at _____. The maximum price differential you may receive is \$_____ if you purchase a decent, safe, and sanitary dwelling (as determined by an inspection performed by the Department) with a total cost of \$_____ or more. In order to qualify to be reimbursed for the maximum price differential amount, you must purchase and occupy a decent, safe, and sanitary replacement dwelling for at least the amount indicated for this comparable dwelling.
- B. You may also be eligible for a MORTGAGE DIFFERENTIAL based on the term, loan balance and interest rate of your new mortgage at the replacement site. This payment has limits as established by the prevailing market rate as well as the term, loan balance, and interest rate at the property you now occupy. You must work closely with your relocation agent to fully understand this complex payment.
- C. And last, you may be eligible for INCIDENTAL EXPENSES that you incur when purchasing your replacement property. This payment is based on your nonrecurring, or one-time costs related to closing the escrow. It does not assist with your recurring (periodic) costs such as annual taxes, insurance, or warranties. Again, please work closely with your relocation agent as some of the expenses can be deposited directly into the escrow account for your new home.

If you choose to rent replacement property, you may be eligible to receive a RENT DIFFERENTIAL payment based on the "economic rent" of the property you now occupy, and the rental rate of a comparable replacement property, computed over a 42-month period. The RENT DIFFERENTIAL payment may be zero, but it cannot exceed the amount of the Price Differential. If you think you may wish to rent a replacement property, contact your relocation agent for a calculation of this alternate payment. If you choose to rent your home back from the Department after sale to the Department has been finalized, failure to pay necessary rental payments may reduce the replacement housing payment which you will receive.

**CONDITIONAL ENTITLEMENT LETTER -
90-DAY OWNER-OCCUPANT (Cont.)**

(Form #)

EXHIBIT

10-EX-45 (REV 10/2014)

Page 2 of 2

The Relocation Assistance Program is very complex. It is important that you read and understand the matters explained in the "Your Rights and Benefits as a Displacee Under the Uniform Relocation Assistance Program (Residential)" brochure which relate to your eligibility. If at any time in the future you want assistance, please contact your relocation agent by writing, telephoning, or visiting him/her at the address listed on the back of the brochure. To avoid loss of possible benefits, DO NOT commit yourself to purchase or rent a replacement property or move without first contacting your relocation agent.

IMPORTANT: To receive the replacement housing payments outlined under item 2 above, you must rent or purchase and occupy your replacement dwelling within one year from the later of the following two dates: 1) the date at least one comparable replacement dwelling has been made available to you, or 2) the date the Department has paid the acquisition cost of your current dwelling (usually the close of escrow on the State's acquisition). Failure to act within the one-year period could result in loss of all replacement housing benefits.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____

Displacee's signature _____

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Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation made an offer to purchase the property that you occupied on that date. As the eligible owner-occupant of the property, you are entitled to certain benefits under the Department's Relocation Assistance Program. These benefits are briefly outlined below and are discussed in further detail in the brochure that was given to you. As the owner-occupant of the property on the date of the Department's initiation of negotiations, your basic entitlements are:

1. **RELOCATION ADVISORY ASSISTANCE:** The Department will assist you in finding a replacement residence.
 2. **MOVING EXPENSES:** You may select payment based on:
 - A. Moving Expense Schedule based on number of rooms, OR
 - B. Moving Service Authorization where the Department makes direct payment to an approved commercial mover, OR
 - C. Actual Cost Move by for-hire carrier based on at least two written estimates and receipted bills.
 3. **REPLACEMENT HOUSING PAYMENT:** Having owned and occupied the property for 90 or more consecutive days immediately preceding the Department's first offer, you may be eligible for monetary assistance to purchase comparable replacement housing. The replacement housing payment includes a price differential, a mortgage differential, and an incidental expense.
 - A. **PRICE DIFFERENTIAL.** This is to cover the increased cost you may have to pay when you buy a new home. It is the difference between the cost of a comparable replacement dwelling as determined by the Department, or if less, the cost of the replacement dwelling you select, and the price paid by the Department for your home.
 - B. **MORTGAGE DIFFERENTIAL.** To help pay your increased interest cost, if any.
 - C. **INCIDENTAL EXPENSE.** A payment to cover some of the closing costs you may incur in purchasing a replacement dwelling.
 - D. **SPACE RENT DIFFERENTIAL.** You also may be eligible for monetary assistance for the increased cost you may have to pay for space rent at a comparable replacement site.
- OR
- E. If you choose not to purchase a replacement property, you may be eligible for **RENTAL ASSISTANCE** should you rent a comparable replacement property. This payment is in lieu of the Price Differential, Mortgage Differential, and Incidental Expense.

**NOTICE OF ELIGIBILITY - 90-DAY OWNER-OCCUPANT
MOBILE HOME (Cont.)**

(Form #)

EXHIBIT
10-EX-47 (REV 10/2014)
Page 2 of 2

To avoid losing part or all of your relocation benefits, **DO NOT MOVE** from your home and **DO NOT CONTRACT** to rent or purchase a replacement dwelling without first contacting your relocation agent whose name is shown below. You will be given at least 90 days' written notice, and the address of at least one comparable replacement property, before you are required to move.

IMPORTANT: To receive the replacement housing payments outlined under item 3 above, you must rent or purchase and occupy your replacement dwelling within one year from the later of the following two dates: 1) the date at least one comparable replacement dwelling has been made available to you, or 2) the date the Department has paid the acquisition cost of your current dwelling (usually the close of escrow on the State's Acquisition). Failure to act within the one-year period could result in loss of all replacement housing benefits.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____ Displacee's signature _____

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Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation made an offer to purchase the property that you occupied on that date and you were given written notice of your potential relocation benefits. In addition to the 90-day notice and advisory assistance, you may be entitled to the following monetary benefits:

1. MOVING EXPENSES: Depending on your situation, you may select one of the following options. In rare circumstances, you may be eligible for a combination of the following. You must discuss this fully with your relocation agent.

- A. Moving Expense Schedule based on number of rooms. Your entitlement under this option is \$_____ based on _____ rooms of personal property. This entitlement includes a dislocation allowance to connect utilities and/or appliances at the replacement site. OR
- B. Moving Service Authorization where the Department makes direct payment to an approved commercial mover (see attached list of eligible movers for your area). OR
- C. Actual Cost Move by for-hire carrier based on the lowest of two written estimates you obtain and submit to the Department. Payment will only be made after you submit paid invoices and proof of payment to the Department.

2. REPLACEMENT HOUSING PAYMENT:

- A. Should you choose to purchase a replacement property, you may be eligible to receive a PRICE DIFFERENTIAL based on the cost of a comparable dwelling such as the one located at _____. The maximum price differential you may receive is \$_____ if you purchase a decent, safe, and sanitary dwelling (as determined by an inspection performed by the Department) with a total cost of \$_____ or more. In order to qualify to be reimbursed for the maximum price differential amount, you must purchase and occupy a decent, safe, and sanitary replacement dwelling for at least the amount indicated for this comparable dwelling.
- B. You may also be eligible for a MORTGAGE DIFFERENTIAL based on the term, loan balance, and interest rate of your new mortgage at the replacement site. This payment has limits as established by the prevailing market rate as well as the term, loan balance, and interest rate at the property you now occupy. You must work closely with your relocation agent to fully understand this complex payment.
- C. And last, you may be eligible for INCIDENTAL EXPENSES that you incur when purchasing your replacement property. This payment is based on your nonrecurring, or one-time costs related to closing the escrow. It does not assist with your recurring (periodic) costs such as annual taxes, insurance, or warranties. Again, please work closely with your relocation agent as some of the expenses can be deposited directly into the escrow account for your new home.
- D. And last, you may be eligible to receive a SPACE RENT DIFFERENTIAL payment based on the amount required to rent a comparable space. The maximum amount of the space rent differential is \$_____. This calculation is based on a thorough review of the available mobile home spaces located in/at _____.

If you choose to rent replacement property, you may be eligible to receive a RENTAL ASSISTANCE payment based on the "economic rent" of the property you now occupy, and the rental rate of a comparable replacement property, computed over a 42-month period. The RENTAL ASSISTANCE PAYMENT may be zero, but it cannot exceed the amount of the Price Differential. If you think you may wish to rent a replacement property, contact your relocation agent for a calculation of this alternate payment. If you choose to rent your home back from the Department after sale to the Department has been finalized, failure to pay necessary rental payments may reduce the replacement housing payment which you will receive.

**CONDITIONAL ENTITLEMENT LETTER -
90-DAY OWNER-OCCUPANT MOBILE HOME (Cont.)**

(Form #)

EXHIBIT
10-EX-48 (REV 10/2014)
Page 2 of 2

The Relocation Assistance Program is very complex. It is important that you read and understand the matters explained in the "Uniform Relocation Assistance Program (Residential)" brochure which relate to your eligibility. If at any time in the future you want assistance, please contact your relocation agent by writing, telephoning, or visiting him/her at the address listed on the back of the brochure. To avoid loss of possible benefits, DO NOT commit yourself to purchase or rent a replacement property or move without first contacting your relocation agent.

IMPORTANT: To receive the replacement housing payments outlined under item 2 above, you must rent or purchase and occupy your replacement dwelling within one year from the later of the following two dates: 1) the date at least one comparable replacement dwelling has been made available to you, or 2) the date the Department has paid the acquisition cost of your current dwelling (usually the close of escrow on the State's acquisition). Failure to act within the one-year period could result in loss of all replacement housing benefits.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____

Displacee's signature _____

ADA Notice

For individuals with disabilities, this document is available in alternate formats. For information, call (916) 654-5413 Voice, CRS: 1-800-735-2929, or write Right of Way, 1120 N Street, MS-37, Sacramento, CA 95814.

**NOTICE OF ELIGIBILITY -
90-DAY OWNER-OCCUPANT**

(Form #)

Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation made an offer to purchase the property that you occupied on that date. As the eligible owner-occupant of the property, you are entitled to certain benefits under the Department’s Relocation Assistance Program. These benefits are briefly outlined below and are discussed in further detail in the brochure that was given to you. As the owner-occupant of the property on the date of the Department’s initiation of negotiations, your basic entitlements are:

1. **RELOCATION ADVISORY ASSISTANCE:** The Department will assist you in finding a replacement residence.
2. **MOVING EXPENSES:** You may select payment based on:
 - A. Moving Expense Schedule based on number of rooms, OR
 - B. Moving Service Authorization where the Department makes direct payment to an approved commercial mover, OR
 - C. Actual Cost Move by for-hire carrier based on at least two written estimates and receipted bills.
3. **REPLACEMENT HOUSING PAYMENT:** Having owned and occupied the property for 90 or more consecutive days immediately preceding the Department’s first offer, you may be eligible for monetary assistance to purchase comparable replacement housing. The replacement housing payment includes a price differential, a mortgage differential, and an incidental expense.
 - A. **PRICE DIFFERENTIAL.** This is to cover the increased cost you may have to pay when you buy a new home. It is the difference between the cost of a comparable replacement dwelling as determined by the Department, or if less, the cost of the replacement dwelling you select, and the price paid by the Department for your home.
 - B. **MORTGAGE DIFFERENTIAL.** To help pay your increased interest cost, if any.
 - C. **INCIDENTAL EXPENSE.** A payment to cover some of the closing costs you may incur in purchasing a replacement dwelling.

OR

 - D. If you choose not to purchase a replacement property, you may be eligible for a **RENT DIFFERENTIAL** payment should you rent a comparable replacement property. This payment is in lieu of the Price Differential, Mortgage Differential, and Incidental Expense.

**NOTICE OF ELIGIBILITY -
90-DAY OWNER-OCCUPANT (Cont.)**

(Form #)

To avoid losing part or all of your relocation benefits, **DO NOT MOVE** from your home and **DO NOT CONTRACT** to rent or purchase a replacement dwelling without first contacting your relocation agent whose name is shown below. You will be given at least 90 days' written notice, and the address of at least one comparable replacement property, before you are required to move.

IMPORTANT: To receive the replacement housing payments outlined under item 3 above, you must rent or purchase and occupy your replacement dwelling within one year from the later of the following two dates: 1) the date at least one comparable replacement dwelling has been made available to you, or 2) the date the Department has paid the acquisition cost of your current dwelling (usually the close of escrow on the State's Acquisition). Failure to act within the one-year period could result in loss of all replacement housing benefits.

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all household members in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the Department of Transportation. I have had the services and entitlements available explained to me. I was further advised that the Department of Transportation Relocation Assistance Program is available to assist me if any questions arise or as assistance is needed. I have been given a copy of this form letter.

Date _____ Displacee's signature _____

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
NOTICE OF ELIGIBILITY - NONOCCUPANT OWNER
LEASING SPACE TO OTHERS
(Form #)

EXHIBIT
10-EX-50 (REV 10/2014)
Page 1 of 3

Date _____

File Reference: _____

Dear _____:

On _____, 20____, the Department of Transportation made an offer to purchase all or a portion of the property that you own. As a potential eligible owner of the property, you may be eligible for certain benefits under the Department's Relocation Assistance Program if the Department determines you meet the following criteria:

1. You lease or rent the entire property to another and you have no personal property nor do you conduct any business at this site.
2. The leasing or rent activity is a legitimate business and not considered an investment as determined by a review of your income tax records.
3. The income from the lease or rented site contributed materially to your income.
4. Your operation is considered a "small business" and is not a franchise or chain operation.

If it is decided that you meet the above criteria, you may be eligible for a Non-Occupant Owner Reestablishment Payment that is outlined below. *It is vitally important that you understand the conditions described below which must be met before any payments can be made.*

As a small business owner, you may be eligible to receive a payment, not to exceed \$25,000, for expenses actually incurred in relocating and reestablishing your leasing activity at a replacement site. Reestablishment expenses must be reasonable and necessary as determined by the Department. They 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 replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
3. Construction and installation costs for exterior signing 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 costs of operation during the first two years at the replacement site for such items as:
 - 1) Lease or rental charges.
 - 2) Personal or real property taxes.
 - 3) Insurance premiums.
 - 4) Utility charges, excluding impact fees.

**NOTICE OF ELIGIBILITY - NONOCCUPANT OWNER
LEASING SPACE TO OTHERS (Cont.)**

(Form #)

EXHIBIT
10-EX-50 (REV 10/2014)
Page 2 of 3

In order to receive relocation benefits, you must, within 18 months of the Department's acquisition of your property:

1. Acquire a new replacement property; other property acquired prior to the Department's initiation of negotiations for this site is ineligible.
2. The new site must be leased or rented to another as evidenced by an executed agreement with the proposed occupant.
3. Provide documentation (invoices, proof of payment, contracts) to be reimbursed for any of the eligible expenses as listed above.

To ensure you expend funds on items that are considered eligible for reimbursement, you should review proposed expenditures with your Relocation Agent prior to entering into any contractual agreements.

However, you should be aware that you are not entitled to payment under reestablishment regulations for any of the following:

- Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures.
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.
- Interest on money borrowed to make the move or purchase the replacement property.
- Any expenditures related to any other property you had owned prior to the Department's initiation of negotiations to acquire this property.

Under the Relocation Assistance Advisory Assistance Program, the Department will assist you in finding a replacement property. If you want assistance, please contact your relocation advisor.

Reestablishment expenses are not considered as income for the purposes of personal income tax laws. Relocation payments are normally made within 60 days of the date that the Department receives your completed claim.

Your lessee or tenant will be given at least 90 days' written notice before they will be required to move their personal property from this real property. You will be given an opportunity to rent the vacated site to the Department at fair market value if the acquisition of the site has not been completed.

It is important that you understand the matters explained above which relate to your eligibility. If at any time you want assistance, please contact me by writing, telephoning, or visiting me at the address listed below.

IMPORTANT: To receive payment for reestablishment expenses outlined above, you must file a claim for expenses actually incurred in reestablishing the small business at a replacement site within 18 months after the displacement or the date of the final payment for the acquisition of your real property, whichever is later.

**NOTICE OF ELIGIBILITY - NONOCCUPANT OWNER
LEASING SPACE TO OTHERS (Cont.)**

(Form #)

EXHIBIT
10-EX-50 (REV 10/2014)
Page 3 of 3

The Uniform Act provides that a person may appeal to the head of the responsible department if the person believes that the Department has failed to properly determine the person's eligibility or the amount of the payment authorized by the Uniform Act. You have the right to be represented by legal counsel at your own expense, but their presence is not required. If you still believe a proper determination has not been made by the Relocation Appeals Board, you may seek judicial review. You may submit an appeal in writing to: Caltrans, Right of Way Office, Relocation Appeals Board, 1120 N Street, Sacramento, CA 95814.

Displacees not lawfully present in the United States are ineligible for relocation payments and assistance. Certification of legal U.S. residency status must be on file with the Department for all business owners in order to receive benefits.

Sincerely,

_____, Relocation Agent

Relocation Agent Address

Telephone

ACKNOWLEDGEMENT

I was personally contacted by the above Relocation Agent for the Department of Transportation. I have had the available services and entitlements explained to me. I have been advised that the Department of Transportation Relocation Services Section will be available to assist me if any questions arise or assistance is needed. I have been given a copy of this letter.

Date _____ Displacee's signature _____

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