



LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

October 2, 2006

REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach
California

RECOMMENDATION:

Recommendation to approve the Relocation Plan for the proposed Washington School Housing Action Plan Project. (Central – District 1)

DISCUSSION

On June 1, 2004, the City Council adopted a five-year Housing Action Plan (HAP) for Fiscal Years 2005-2009 to serve as the framework for developing affordable housing in the City of Long Beach. The HAP allocated a total of at least \$69 million over a five-year period for affordable housing programs. Sixty-five percent (65%) of these funds were allocated to three focus areas: Washington School, Central, and North King School.

Following the adoption of the HAP, a detailed needs assessment of the selected neighborhoods was undertaken in order to determine strategies that would address the specific needs of each neighborhood. The assessment involved field surveys of property and neighborhood conditions, a review of existing City plans affecting these neighborhoods, and meetings with other City department management staff, as well as the Long Beach Unified School District, to make sure that proposed strategies are congruent with other existing plans and programs. Based on this assessment, preliminary strategies for each neighborhood have been developed.

One of the recommended strategies for the Washington School Focus Area (Exhibit A – Site Map) is to acquire parcels that are currently vacant or have substandard improvements and, in certain instances, some properties adjacent to these parcels. On October 19, 2005, the Long Beach Housing Development Company (LBHDC) authorized the purchase of four parcels for future housing development projects in the Washington School Focus Area. On December 12, 2005, the Agency, in executive session, agreed to acquire the properties on behalf of the LBHDC. The Agency and/or the LBHDC may eventually demolish the existing residential structures to prepare sites

REDEVELOPMENT AGENCY BOARD MEMBERS

October 2, 2006

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for new development. The four parcels encompass one owner-occupied dwelling and six tenant-occupied units that require relocation.

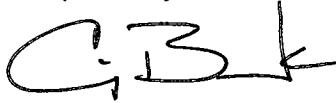
Under California Law, a Relocation Plan (Plan) must be prepared and approved which demonstrates the availability of replacement housing for displaced households. The Plan also describes the assistance that will be provided to both displaced residents and businesses, including monetary compensation for moving and related expenses and for replacement housing.

In accordance with Title 25 of the California Administrative Code, the Plan must be available for public review and comment for at least 30 days prior to Agency consideration of approval. On September 1, 2006, a cover letter (Exhibit B – Cover Letter) and copy of the Plan (Exhibit C – Relocation Plan) was delivered to all on-site occupants by staff of Overland, Pacific and Cutler, Inc., the Agency's acquisition and relocation consultants. No comments were received during the 30-day review period, which ended September 30, 2006.

SUGGESTED ACTION:

Approve recommendation.


Respectfully submitted,



For PATRICK H. WEST
EXECUTIVE DIRECTOR

PHW:CB:MM:mm

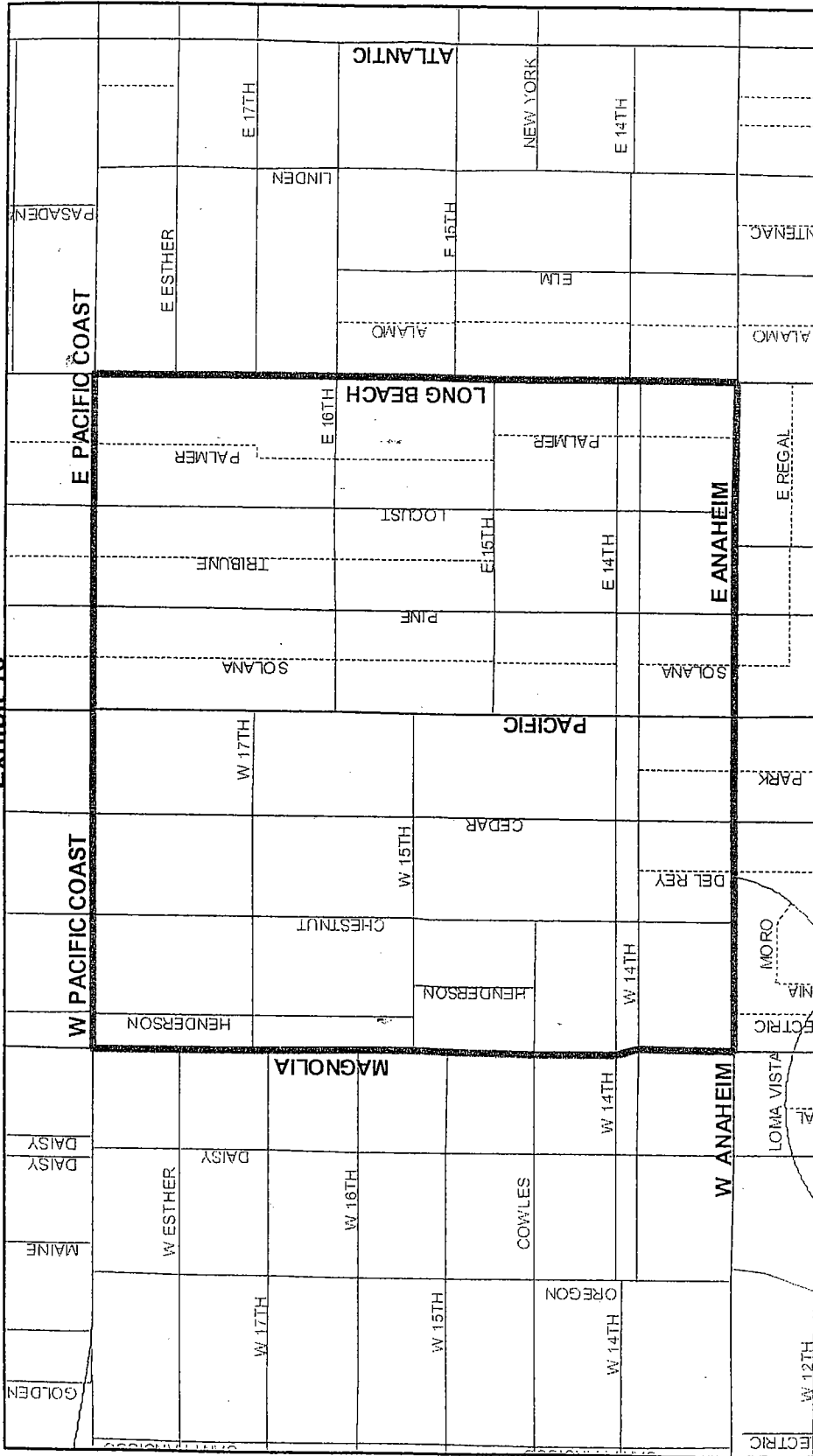
APPROVED:




GERALD R. MILLER
CITY MANAGER


Attachments: Exhibit A – Site Map
 Exhibit B – Cover Letter
 Exhibit C – Relocation Plan

Exhibit 16






City of Long Beach
Housing Services Bureau
Washington School Focus Area



Major Street
Street
Alley



0 500 1000 Feet

add 5/11/04 c:_proj\es\Community Development\housing plan_06.swp

September 1, 2006

Dear OCCUPANT:

Re: **Long Beach Housing Department
Washington School Focus Area Housing Action Plan
Availability of Relocation Plan for Public Review**

The Relocation Plan, relative to the proposed Washington Area Housing Action Plan Focus Area project, affecting the property in which you reside, is attached to this notice for your review and comments, if any. A reference copy of the Plan may also be found at the following locations:

Long Beach Community Dev't Dept.
333 W. Ocean Blvd, 3rd Floor
Long Beach, CA 90802-4604

Long Beach Public Library - Main Branch
333 W. Ocean Boulevard
Long Beach, CA 90802-4604

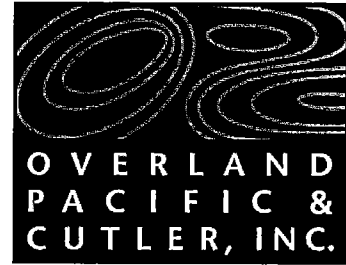
The Plan will be available for review and comment from now through **Saturday, September 30, 2006** during *normal, open business hours* of each respective location. Comments to the plan can be made in writing to:

Natasa Lenic
Overland, Pacific & Cutler, Inc.
100 W. Broadway, Suite 500
Long Beach, CA, 90802.

The Plan will be considered for adoption at the regular meeting of the City of Long Beach Redevelopment Agency, commencing **at 9:00 a.m., Monday, October 2, 2006**, at Long Beach City Hall Council Chambers, 333 W. Ocean Boulevard, Long Beach.

Sincerely,

David Stadler, Principal
Overland, Pacific & Cutler, Inc.
Relocation Consultants to the City of Long Beach



RELOCATION PLAN

FOR THE

WASHINGTON SCHOOL FOCUS AREA

PROJECT

OVERLAND, PACIFIC & CUTLER, INC.
100 WEST BROADWAY, SUITE 500
LONG BEACH, CA 90802
PHONE: (562) 304-2000

AUGUST 29, 2006

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INTRODUCTION

The Long Beach Redevelopment Agency (the Agency) is in the process of planning the construction of affordable in-fill housing in the area of West 17th Street and Magnolia Avenue in Long Beach, also known as Washington School Focus Area (HAP) Project (the Project). The Project involves the acquisition of three improved land parcels consisting of approximately 10,565 square feet of land and the subsequent permanent relocation of eight residential occupants. The proposed displacement triggers relocation assistance obligations under State Relocation Law - California Government Code Section 7260 et seq. (the Law) and the State Relocation Guidelines - California Code of Regulations, Title 25, Chapter 6 et seq. (the Guidelines). Among the various obligations of the Law is the requirement to prepare a relocation plan addressing the circumstances and needs of those persons potentially displaced by the Project.

The following Relocation Plan (the Plan) has been prepared by Overland, Pacific & Cutler (OPC) in accordance with the specific requirements set out in Section 6038 of the Guidelines concerning projects that involve the displacement of less than 15 households. This Plan provides the Project description, the results of a needs assessment survey conducted among residents, a housing resource study and details of the Agency's proposed relocation program.

A. PROJECT LOCATION

The proposed Project will take place in the City of Long Beach (the City) which is located in the southern portion of the County of Los Angeles, approximately 32 miles south of downtown Los Angeles. Long Beach is immediately accessible from the 710, 405 and 91 freeways. Adjacent communities include Lakewood, Seal Beach, Signal Hill, Wilmington, Paramount, Bellflower, Compton, Rancho Dominguez, Hawaiian Gardens, Carson, Rossmoor, and Los Alamitos. (See **Attachment 1**, Map 1).

The specific Project site is located in the western portion of the City, at the corner of Magnolia Avenue and West 17th Street and is generally bounded by West Pacific Coast Highway on the north, Magnolia Avenue on the west, Henderson Avenue on the east and West 17th Street on the south. (See **Attachment 1**, Map 2).

B. ASSESSMENT OF NEEDS

Survey information for the Plan was obtained from public records, appraisal reports and limited information provided by property owners. Personal interviews with all affected households will be conducted prior to commencement of relocation activities.

The housing mix consists of six tenant occupied multi-family units and one owner-occupied single-family dwelling. The multi-family units are comprised of one three-bedroom unit, two two-bedroom units and two one-bedroom units within a two building structures sharing one lot and of two one-bedroom units in a duplex. Monthly rents among the duplex tenant households are \$700 and \$800 for a one-bedroom apartment, the other rent amounts are unknown at this time. It is anticipated that most of the Project population is Hispanic and Spanish speaking.

According to income standards for the County of Los Angeles adjusted for family size as published by the United States Department of Housing and Urban Development (HUD) in March 2006, all Project households are believed to qualify as either very low income (31%-50% of area median) or lower income (51%-80% of area median). Once personal interviews with Project households are conducted it will be determined whether there are any senior households (head of household or spouse 62 years or older) or any disabilities that could affect the relocation process and special care will be afforded to such households prior to and during the move.

The standard for housing density adopted by the Agency allows two persons per bedroom and one person in a common living area up to three bedrooms. The Agency adheres to the state building code occupancy standard based on the square footage of the dwelling for households larger than eight members. Should there be any overcrowded units among the subject tenant residential properties, the Agency's replacement housing referrals to such occupants will reflect the need for larger accommodations.

Prevailing HUD income standards as well as general demographic information for the City are presented in **Attachments 2 and 3**.

C. REPLACEMENT HOUSING RESOURCES

A housing resource survey was conducted to determine the availability of replacement housing within the City sufficient to meet the needs of Project residents. Apartments were considered as appropriate replacement dwelling units for tenant occupants and single-family units for sale were researched to accommodate the homeowner. The potential displacees will require at least four one-bedroom apartments, two two-bedroom apartments, and one three-bedroom apartment besides the one two-bedroom single-family dwelling for sale, if they do not require larger units due to overcrowding.

Rental housing availability survey results are summarized below in **Table 1**. The data indicate ample availability of variously sized apartment units within a three mile radius from the Project site to rehouse all tenant households.

TABLE 1: Replacement Rental Housing Resources			
Bdrm Size	Found	Rent Range	Median
1	109	\$595-\$2,500	\$800
2	59	\$850-\$3,400	\$995
3	24	\$1,195-\$4,950	\$1,350

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

The resource survey identified 14 two- and three-bedroom houses currently on the market with comparable square footage to the replacement unit. **Table 2** outlines survey results.

TABLE 2: Replacement Housing Resources For Sale			
Bdrm Size	Found	Price Range	Median
2 or 3*	14	\$449,000-\$775,000	\$599,000

* based on the square footage to satisfy decent, safe & sanitary requirement

D. CONCURRENT RESIDENTIAL DISPLACEMENT

The City of Long Beach is currently involved in a Central Long Beach project necessitating residential displacement of approximately six households and a proposed North Long Beach project that will displace as many as nine residential households, if approved. The three projects will not likely compete for the available housing resources since there is an abundance of units currently on the market in all immediate project areas, therefore allowing all projects to run concurrently, if needed.

E. TEMPORARY HOUSING

There is no anticipated need for temporary housing.

F. PROGRAM ASSURANCES AND STANDARDS

There are adequate funds available to relocate both households. Services will be provided to ensure that displacement does not result in different, or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability, or any other basis protected by the Federal Fair Housing Amendments Act; the Americans with Disabilities Act; Title VI of The Civil Rights Act of 1964; Title VII of The Civil Rights Act of 1964; Title VIII of The Civil Rights Act of 1968; and, the California Fair Employment & Housing Act; and the Unruh Act.

No households will be displaced without at least 90 days notice and unless comparable replacement housing can be located. Comparable housing includes standards such as: decent, safe and sanitary (as defined in § 6008[d] of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the acquired unit, but not lesser in rooms or living space than necessary to accommodate the displaced household; in an area that does not have unreasonable environmental conditions; not generally less desirable than the acquired unit with respect to proximity to schools,

employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced household as defined in Section 6008, subdivision (c)(5) of the Guidelines.

The relocation program to be implemented by the Agency conforms with the standards and provisions set forth in Government Code section 7260 et seq., the Guidelines, California Health and Safety Code section 33410 et seq., if applicable, and all other applicable regulations and requirements.

G. RELOCATION ASSISTANCE PROGRAM

A relocation representative from OPC will assist the residents to be displaced as a consequence of the Project. OPC staff will maintain personal contact with them until the relocation process has been completed. OPC maintains a toll-free phone number (800) 400-7356, which is attended to from 8:00 a.m. to 5:00 p.m., Monday through Friday.

The relocation offices are located at:

**100 West Broadway, Suite 500
Long Beach, CA 90802**

A comprehensive relocation assistance program, offering both advisory assistance and financial benefits will be provided to the residents subject to displacement. Specific services will include:

- A. Distribution of informational brochures to residential tenants (**Attachment 4**);
- B. Timely referrals to at least three comparable replacement units and, if necessary, transportation will be provided to inspect potential replacement units; and
- C. Assistance with the completion, and filing of relocation claims, rental applications and appeal forms, if necessary.

H. RELOCATION BENEFIT CATEGORIES

Relocation benefits will be provided in accordance with the California Relocation Assistance Law; the Guidelines; and, other applicable regulations and requirements. Benefits will be paid upon submission of required claim forms and documentation in accordance with approved procedures. The Agency will provide appropriate benefits for each displaced household as required by the above-referenced laws and requirements.

1. Residential Moving Expense Payments

The subject households will be eligible to receive a payment for moving expenses. Payments will be made based upon either a fixed room count schedule, or an invoice for actual reasonable moving expenses from a licensed professional mover.

- a. Fixed Payment - A fixed payment for moving expenses based on the number of rooms containing furniture or other personal property to be moved. The fixed moving payment will be based upon the most recent Federal Highway Administration (FHA) schedules maintained by the California Department of Transportation (**See Fixed Payment Moving Schedule - Attachment 5**).

- OR -

- b. Actual Reasonable Moving Expense Payments - The displaced households may elect to have a licensed, professional mover perform the move; if so, the displacing entity will pay for the actual cost of the move, up to 50 miles, and all reasonable charges for packing, unpacking, insurance, and utility connection charges at the replacement location. The payment for moving will be made directly to the mover, or as reimbursement to the displaced household.

2. Rental Assistance/Down Payment Assistance

Residential tenants who have established residency at the Project site for a minimum of 90 days prior to the Agency's offer to purchase the property and who choose to re-rent, may be eligible to receive a Rental Assistance Payment in addition to compensation for moving expenses.

Rental Assistance Payments will be limited to a maximum of \$5,250, based upon the monthly housing need over a 42 month period, prior to consideration of Last Resort Housing needs. Eligible households may opt to apply the full amount of their rental assistance eligibility toward the purchase of a replacement dwelling.

3. Payments to 180 Day Residential Owner-occupants

Residential owner-occupants who have established residency for at least 180 days prior to the Agency's offer to purchase may be eligible for up to \$22,500 in replacement housing assistance, prior to consideration of eligibility for Last Resort Housing benefits (see Last Resort Housing, following). The amount of the Replacement Housing Assistance Payment will be determined on the basis of three separate elements: a) Purchase Price Differential; b) Mortgage Interest Differential; and, c) Incidental Expenses.

(a) Purchase Price Differential

The Purchase Price Differential is based on three factors:

Acquisition Price - The price paid by the Agency for the Project area dwelling;

Actual Purchase Price - The actual price paid for a replacement dwelling;
and,

Comparable Replacement Cost - The cost of a decent, safe and sanitary dwelling comparable to the dwelling acquired by the Agency.

The purchase price differential amount is determined by comparing the price of the acquired dwelling (including any proceeds obtained through condemnation) to the lesser of the actual cost paid for a replacement home versus the price of the comparable dwelling used to compute eligibility in the Notice-of-Eligibility issued to the displaced owner.

(b) Mortgage Interest Differential

The purpose of the Mortgage Interest Differential Payment is to compensate homeowners for increased interest costs between the acquired dwelling and the replacement dwelling. The payment for increased mortgage interest cost shall be the amount which will reduce the mortgage balance on a new mortgage to an amount which could be amortized with the same monthly payment for principal and interest as that for the mortgage(s) on the displacement dwelling. In addition, payments shall include other debt service costs, if not paid as part of incidental costs. To be eligible for this payment, the mortgage on the dwelling being acquired must have been in place, as a valid lien, for at least 180 days prior to the Agency's initial written offer to purchase.

(c) Incidental Expenses - Closing Costs

One-time, non-recurring closing costs associated with the purchase of a comparable, replacement dwelling are compensable. Examples of such compensable expenses include costs for: a property survey; preparation of a legal description and deed; recording fees; title insurance; revenue stamps and transfer taxes; loan application fees; loan origination fees; appraisal fees; a credit report; certification for structural soundness; and, termite inspection, when required. Prepaid recurring expenses for mortgage interest, property taxes and insurance are not compensable.

The total Replacement Housing Payment is the sum of the Purchase Price Differential, Mortgage Interest Differential, and compensable Incidental Expenses.

4. Last Resort Housing Payments

The displaced persons will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed total of his or her rental or replacement housing assistance eligibility exceeds either \$5,250 in the case of tenants or \$22,500 for owner-occupants or when a tenant or owner-occupant does not meet applicable occupancy requirements.

I. PAYMENT OF RELOCATION BENEFITS

Relocation benefit payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with the Agency within 18 months from:

- i) the date the claimant moves from the acquired property; or,
- ii) the date on which final payment for the acquisition of real property is made, whichever is later.

Procedures for preparing, and filing of claims and processing and delivering of payments are attached (**Attachment 6**).

J. EVICTION POLICY

Eviction will only be undertaken as a last resort measure in cases of nonpayment of rent, serious violation of the rental agreement, a dangerous, or illegal act in the unit, or if the household refuses to act after having received reasonable referrals to comparable replacement housing. Eviction may affect the eligibility of a person otherwise entitled to relocation benefits.

K. APPEALS POLICY

The appeals policy will follow the standards described in Section 6150 of the Guidelines. Pursuant to this Section, displacees have the right to appeal determinations of eligibility, payment amounts and general relocation assistance services. A copy of the Agency's appeals policy and procedures is attached (**Attachment 7**).

L. PROJECTED DATES OF DISPLACEMENT

Household will receive a written 90 day notice-to-vacate before they are required to move. Relocation is expected to be completed by no later than the end of February 2007.

M. ESTIMATED RELOCATION COSTS

The Agency will use its own funds to underwrite the Project. Estimated relocation costs for the Project are \$278,520, including a 10% contingency. This figure does not include any provision for relocation administrative costs or other services which may be necessary to carry out the Project.

If the Project is implemented and circumstances arise that increase the Project budget, the Agency will authorize the expenditure of those additional funds necessary to meet its statutory relocation assistance obligations.

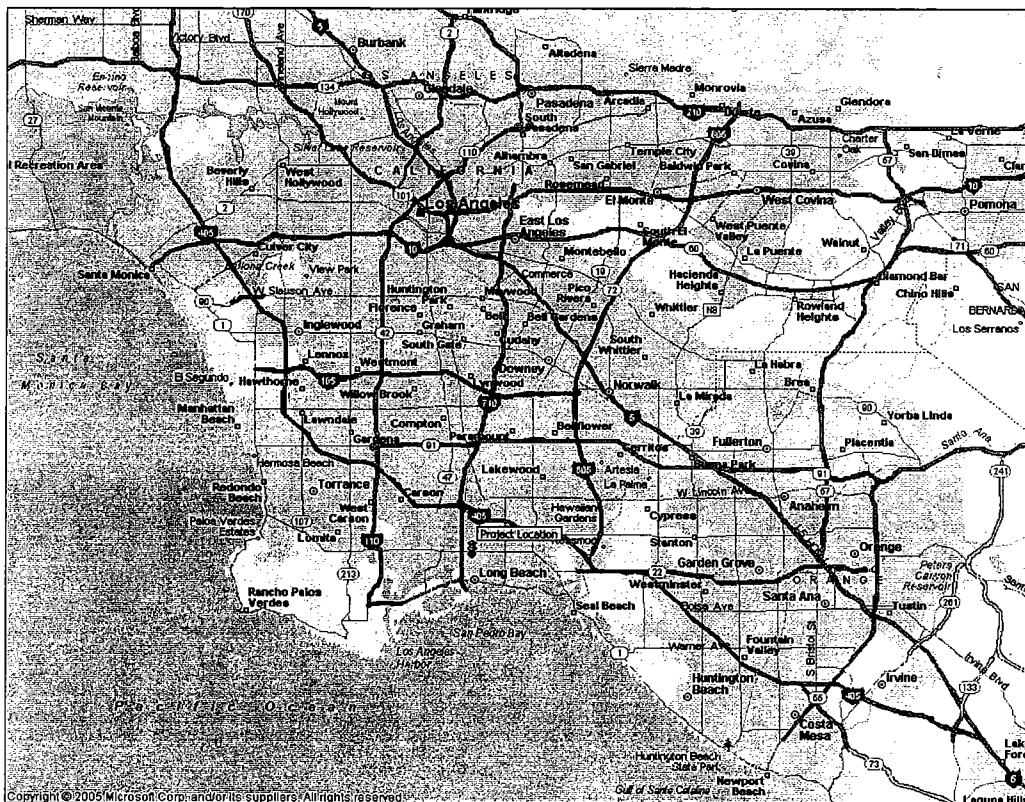
N. CITIZEN PARTICIPATION/PLAN REVIEW

This Plan will be provided to the affected households and be made available to the public for the 30-day review period. Comments regarding this Plan and the Agency's response will be included as a Plan Addendum (**Attachment 8**) prior to submission for approval before the Agency Board of Directors. A copy of the approved Plan will be forwarded to the California Department of Housing and Community Development (HCD).

TABLE OF ATTACHMENTS

- Attachment 1:** Project Site Maps
- Attachment 2:** Demographic Characteristics
- Attachment 3:** H.U.D. Annual Income Limitations - Los Angeles County (2006)
- Attachment 4:** Sample Informational Brochure for Displaced Households
- Attachment 5:** Fixed Payment Moving Schedule
- Attachment 6:** Procedures for Relocation Payments and Assistance
- Attachment 7:** Appeals Policy and Procedures
- Attachment 8:** Plan Addendum (Public Comments and Response)

ATTACHMENT 1 PROJECT SITE MAPS



Map 1: Regional Project Location



Map 2: Project Site Location

**ATTACHMENT 2
DEMOGRAPHIC CHARACTERISTICS**

2000 Census Population - City of Long Beach & Tract 5754.01				
Population	Tract 5754.01	%	City	%
Total Population	5,476	100.0%	461,522	100.0%
White	1,535	28.0%	204,410	45.2%
Black or African American	507	9.3%	68,618	14.9%
American Indian and Alaska Native	66	1.2%	3,881	0.8%
Asian	276	5.0%	55,591	12.0%
Native Hawaiian and Other Pacific Islander	52	0.9%	5,605	1.2%
Some Other Race	2,710	49.5%	95,107	20.6%
Two or More Races	330	6.0%	24,310	5.3%
Hispanic or Latino (of Any Race)	4,309	78.7%	165,092	35.8%

Source: U.S. Census Bureau; Race, Hispanic or Latino, and Age: 2000

2000 Census Housing Units - City of Long Beach & Tract 5754.01				
Type	Tract 5754.01	%	City	%
Total Units	1,308	100.0%	171,632	100.0%
Owner-Occupied	71	5.4%	66,928	39.0%
Renter-Occupied	1,118	85.5%	96,160	56.0%
Vacant Housing Units	119	9.1%	8,544	5.0%
Available for Sale Only (of Total Vacant Units)	36	30.3%	1,484	17.4%
Available for Rent - Full Time Occupancy (of Total Vacant Units)	64	53.8%	4,195	49.1%
Sold or Rented - Not Occupied	15	12.6%	683	8.0%
Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)	0	0.0%	763	8.9%
Other Vacant	4	3.4%	1,419	16.6%

Source: U.S. Census Bureau; General Housing Characteristics: 2000

ATTACHMENT 3

**HUD ANNUAL INCOME LIMITATIONS - YEAR 2006
COUNTY OF LOS ANGELES, CALIFORNIA**

The following figures are approved by the U.S. Department of Housing and Urban Development (HUD) for use in the **County of Los Angeles** to define, and determine housing eligibility by income level, for the year 2006.

Area Median: \$56,200					
Family Size	Extremely Low Income	Very Low Income	Low Income	Median Income	Moderate Income
1 Person	14,550	24,250	38,800	39,300	47,200
2 Person	16,650	27,700	44,350	45,000	53,900
3 Person	18,700	31,200	49,900	50,600	60,700
4 Person	20,800	34,650	55,450	56,200	67,400
5 Person	22,450	37,400	59,900	60,700	72,800
6 Person	24,150	40,200	64,300	65,200	78,200
7 Person	25,800	42,950	68,750	69,700	83,600
8 Person	27,450	45,750	73,200	74,200	89,000

Figures are per the California State Department of Housing & Community Development, Division of Housing Policy Development, promulgated **March 8, 2006**.

ATTACHMENT 4

**SAMPLE INFORMATIONAL BROCHURE
FOR
DISPLACED HOUSEHOLDS**

INFORMATIONAL STATEMENT FOR FAMILIES AND INDIVIDUALS

- I. GENERAL INFORMATION
- II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING
- III. MOVING BENEFITS
- IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS
- V. SECTION 8 TENANTS
- VI. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS
- VII. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS
- VIII. LAST RESORT HOUSING ASSISTANCE
- IX. RENTAL AGREEMENT
- X. APPEAL PROCEDURES - GRIEVANCE
- XI. TAX STATUS OF RELOCATION BENEFITS
- XII. LEGAL PRESENCE REQUIREMENT
- XIII. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

I. GENERAL INFORMATION

The building in which you now live is in an area to be improved by the Long Beach Redevelopment Agency (the Agency). As the project schedule proceeds, it will be necessary for you to move from your dwelling. You will be notified in a timely manner as to the date by which you must move.

Please read this information as it will be helpful to you in determining your eligibility and the amount of your relocation benefits under the federal and/or state law. We suggest you save this informational statement for reference.

The Agency has retained the services of Overland, Pacific & Cutler, Inc., a qualified professional relocation firm, to assist you. The firm is available to explain the program and benefits. Their address and telephone number is:



Overland, Pacific & Cutler, Inc.
100 West Broadway, Suite 500
Long Beach, CA 90802
Telephone: (562) 304-2000

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

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

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

II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

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

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

III. MOVING BENEFITS

If you must move as a result of displacement by the Agency, you will receive a payment to assist in moving your personal property. There are two types of moving payments. You have the option of selecting either one of the following types of moving payments:

A. Fixed Moving Payment

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the Agency, and ranges, for example, from \$400 for one furnished room to \$2,150 for eight rooms in an unfurnished dwelling. (For details see the table below). Your relocation representative will inform you of the amount you are eligible to receive if you choose this type of payment.

FIXED MOVING SCHEDULE - CALIFORNIA (effective June 2005)			
Occupant owns furniture		Occupant does NOT own furniture	
1 room	\$625.00	1 room	\$400.00
2 rooms	\$800.00	each additional room	\$65.00
3 rooms	\$1,000.00		
4 rooms	\$1,175.00		
5 rooms	\$1,425.00		
6 rooms	\$1,650.00		
7 rooms	\$1,900.00		
8 rooms	\$2,150.00		
each additional room	\$225.00		

If you select a fixed payment, you will be responsible for arranging for your own move and the Agency will assume no liability for any loss or damage of your personal property.

B. Actual Moving Expense (Professional Move)

If you wish to engage the services of a licensed commercial mover and have the Agency pay the bill, you may claim the ACTUAL cost of moving your personal property up to 50 miles. Your relocation representative will inform you of the number of competitive moving

bids (if any) which may be required, and assist you in developing a scope of services for Agency approval.

IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS

You may be eligible for a payment of up to \$5,250 to assist you in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied your present dwelling for at least 90 days prior to the Agency's first offer to purchase the property, or an owner who has occupied your dwelling for between 90 and 180 days prior to the Agency's first offer to purchase the property.

A. Rental Assistance

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

- OR -

B. Down-payment Assistance

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

V. SECTION 8 TENANTS

When you do move, you may be eligible to transfer your Section 8 eligibility to a replacement site. As outlined above, you will be provided counseling and other advisory services along with moving benefits. In addition, the Agency will pay the cost of any security deposit required to rent a Section 8 approved replacement dwelling unit, and will also cover any required credit checks fees.

VI. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS

A. If you owned and occupied a dwelling purchased by the Agency for **at least 180 days** prior to the first offer to purchase, you may be eligible to receive a payment of up to \$22,500 to assist you in purchasing a comparable replacement unit. If you owned and occupied the displacement dwelling for **at least 90 days but not more than 180 days** immediately prior to the date of the Agency's offer to purchase, you may be eligible for a payment of up to \$5,250. This payment is intended to cover the following items:

- 1. Purchase Price Differential** - An amount which, when added to the amount for which the Agency purchased your property, equals the lesser of the actual cost of your replacement dwelling; or the amount determined by the Agency as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.

2. Mortgage Interest Differential - The amount which covers the increased interest costs, if any, required to finance a replacement dwelling. Your relocation representative will explain limiting conditions.

3. Incidental Expenses - Those one time costs incidental to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.

B. If you are an owner-occupant and choose to rent rather than purchase a replacement dwelling, you may be eligible for a rental assistance payment of up to \$5,250. The payment will be based on the difference between the fair market rent of the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

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

VII. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS

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

1. For a tenant, the date you move from the displacement dwelling;
2. For an owner-occupant, the date you receive final payment for the displacement dwelling, or, in the case of condemnation, the date the full amount of estimated just compensation is deposited in court; or
3. The date the Agency fulfills its obligation to make available comparable replacement dwellings.

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

VIII. LAST RESORT HOUSING ASSISTANCE

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

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

IX. RENTAL AGREEMENT

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

Except for the causes of eviction set forth below, no person lawfully occupying property to be purchased by the Agency will be required to move without having been provided with at least 90 days written notice from the Agency. Eviction will be undertaken only in the event of one or more of the following infractions:

- A. Failure to pay rent; except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services;
- B. Performance of dangerous illegal act in the unit;
- C. Material breach of the rental agreement and failure to correct breach within 30 days of notice;
- D. Maintenance of a nuisance and failure to abate within a reasonable time following notice;
- E. Refusal to accept one of a reasonable number of offers of replacement dwellings;
or
- F. The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of the public entity.

X. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for a relocation payment, or the amount of a payment, may have his/her claim reviewed or reconsidered in accordance with the Agency's appeals procedure. Complete details on appeal procedures are available upon request from the Agency.

XI. TAX STATUS OF RELOCATION BENEFITS

Relocation benefit payments are not considered as income for the purpose of the Internal Revenue Code of 1986 or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code.

XII. LAWFUL PRESENCE REQUIREMENT

Pursuant to the Public Law 105-117 of 11-21-97, in order to be eligible to receive relocation benefits in federally-funded relocation projects, all members of the household to be displaced must provide information regarding their lawful presence in the United States. In federal projects, any member of the household who is not lawfully present in the United States or declines to provide

this information, may be denied relocation benefits. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US.

XIII. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

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

ATTACHMENT 5

Fixed Payment Moving Schedule	
Occupant Owns Furniture	
One room	\$625.00
Two rooms	\$800.00
Three rooms	\$1,000.00
Four rooms	\$1,175.00
Five rooms	\$1,425.00
Six rooms	\$1,650.00
Seven rooms	\$1,900.00
Eight rooms	\$2,150.00
each additional room	\$225.00
Occupant Does NOT Own Furniture	
First Room	\$400.00
each additional room	\$65.00

Source: Federal Highway Administration (effective 6-15-05)

ATTACHMENT 6
PROCEDURES
FOR
RELOCATION PAYMENTS AND ASSISTANCE

Claims and supporting documentation for relocation benefits must be filed with the Agency within 18 months from:

- The date the claimant moves from the acquired property; **or**,
- The date on which final payment for the acquisition of real property is made, whichever is later.

The procedure for the preparation and filing of claims, and the processing and delivery of payments will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined in accordance with the provisions of California Relocation Law.
3. Required claim forms will be prepared by relocation personnel in conjunction with claimant(s). Signed claims and supporting documentation will be submitted by relocation personnel to the Agency.
4. The Agency will review and approve claims for payment or request additional information.
5. The Agency will issue benefit checks which will be available at the Agency offices for pick-up by OPC, unless circumstances dictate otherwise.
6. Final payments will be issued after confirmation that the Project area premises have been completely vacated, and actual residency at the replacement unit is verified.
7. Receipts of payment will be maintained in the relocation case file.

ATTACHMENT 7

APPEALS POLICY AND PROCEDURES

The Agency's Policy and Procedures for appeals will follow the standards described in Article 5, Section 6150, Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines.

Briefly stated, displacees will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to:

1. eligibility;
2. the amount of payment;
3. the failure to provide comparable replacement housing referrals; or
4. the Agency's property management practices.

Requests for review will be directed first to the Redevelopment Director or other authorized designee of the Agency. Details concerning the entire appeals process will be provided upon request.

ATTACHMENT 8

**PLAN ADDENDUM
(PUBLIC COMMENTS AND RESPONSE)**