



**RELOCATION PLAN
FOR THE
RAD CONVERSION
OF THE
LAS DELTAS PUBLIC HOUSING SITE**

**Housing of the
County of Contra Costa
(HACCC)**

**3133 Estudillo Street
Martinez CA, 94553**

Prepared By



7901 Oakport Street, Suite 4800, Oakland, CA 94621

June 13, 2016

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INTRODUCTION

The Housing Authority of the County of Contra Costa (HACCC) owns and manages 1,168 units of public housing in 13 different properties spread throughout the County. All but one of these properties was built during the 1940s, 50s and 1960s and all are in need of significant modernization. As is true with many housing authorities around the country, HACCC does not receive enough federal funding and tenant rent to fund all of the required modernization and maintenance at these properties. In order to improve its affordable housing stock, HACCC is pursuing several strategies to address the inadequate financing structure underlying its public housing.

The Las Deltas property is located in unincorporated North Richmond and is comprised of 214 units built in three phases in 1952, 1960 and 1961. There are 76 units in the phase built in 1952. These are a mix of duplexes and six-unit row houses located together in a roughly 2x4 block area. Of these 76 units, 4 are being used for service delivery and 46 are vacant. The remaining two phases are comprised of 138 units scattered throughout North Richmond, all but 5 of which are duplexes (the 5 are single unit homes). Of these 138 units, 64 are vacant. The 46.7% overall occupancy rate at Las Deltas is an anomaly for HACCC. All 12 of HACCC's other properties have occupancy rates ranging from 96% to 100%.

The strategy at Las Deltas is to utilize the U.S. Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program to convert public housing units to project-based vouchers (PBVs) that will be used to develop new, high-quality affordable housing off-site. While HACCC may commit PBVs to future projects in North Richmond, it does not expect to do so as part of the RAD Conversion process. Under RAD, HACCC intends to sell most, or all, of the vacant units and land at Las Deltas and use the proceeds to upgrade its remaining public housing stock. HACCC has been awarded RAD for 90 units at Las Deltas and Las Deltas Annex, but has since amended its request to include all 214 units for RAD conversion. The proposed permanent relocation of all remaining occupants, disposition of the property, and conversion to RAD is hereinafter referred to as the Project.

Las Deltas will hereinafter be referred to as the Subject Property or Site. Figure 1 below provides the area location of the Subject Property. Figure 2 provides the approximate location of the Site.

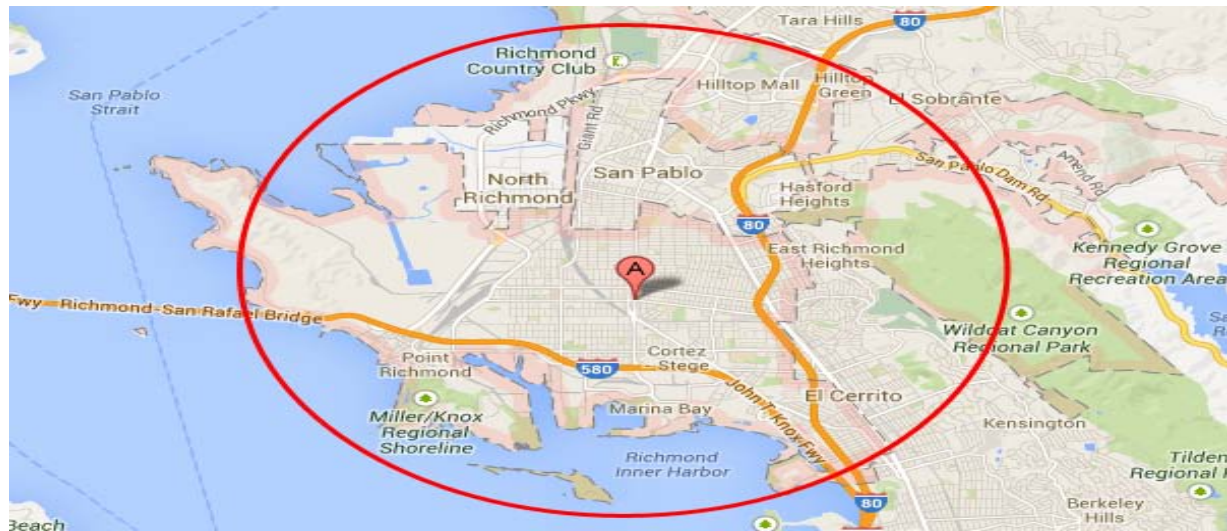


Figure 1: Area Map

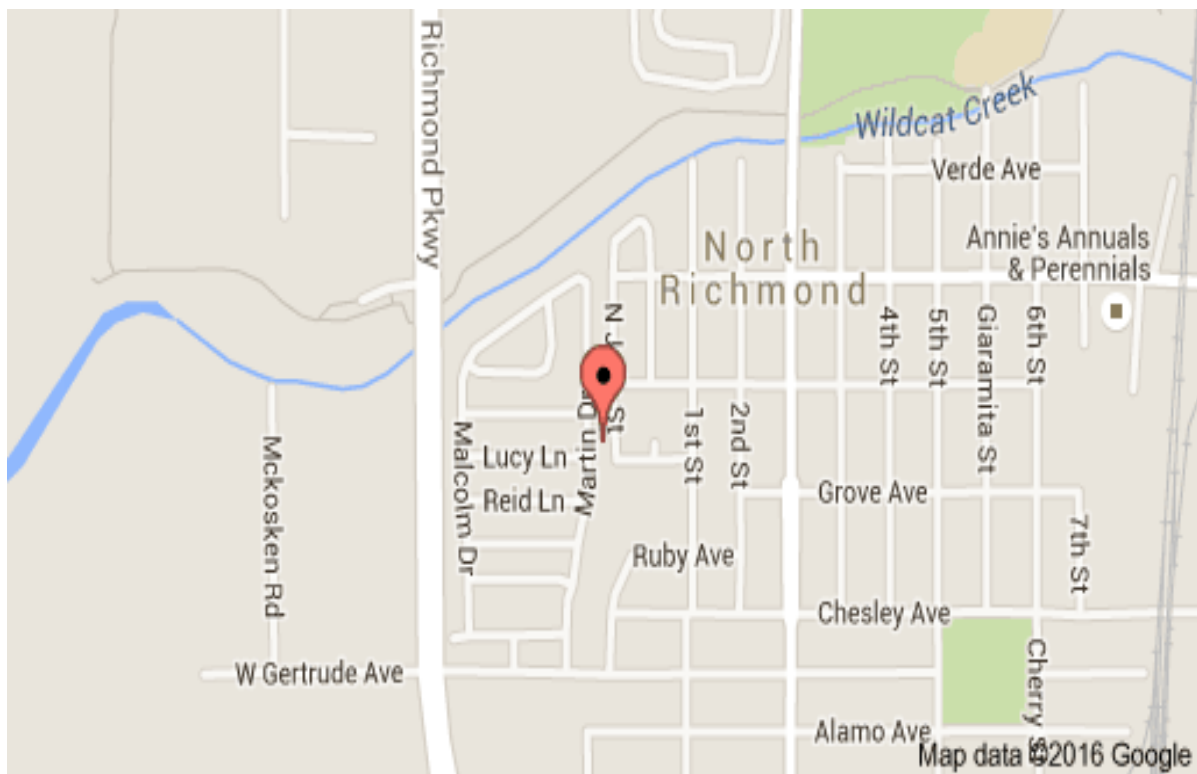


Figure 2: Subject Property Location Map

Overview of RAD Conversion Strategy

Following HUD approval of the RAD Application amendment request, HACCC will proceed with the relocation of the remaining households at Las Deltas. These households will be made eligible for permanent relocation assistance including a Housing Choice Voucher (HCV) and either a fixed moving payment or payment of their actual and reasonable moving expenses by HACCC.

All eligible households in *good standing* (current on their rent and in compliance with their lease) will be offered a Voucher. If available, a household may choose to transfer to another public housing unit or offered a Project Based Voucher unit, and receive actual and reasonable relocation expenses.

Being “current on rent” means the household has paid the prior month’s rent and does not owe any back rent to HACCC or, if there is back rent owed, the household has entered into a repayment agreement with HACCC and is following the terms of that agreement. Being “in compliance with the lease” means the household has not been served with an eviction notice, written notice of violation or have been evicted. If a household or one of its members has been issued a Notice to Vacate, or has otherwise been informed in writing they are not in compliance with their lease, and the case has not been resolved at the time the Housing Choice Vouchers are available, HACCC will not issue the household a Voucher at that time. If the case is resolved, or if a court rules in favor of the resident, HACCC will provide a Voucher at that time.

Scope and Purpose of This Relocation Plan

This Relocation Plan(Plan) is designed to do the following:

1. Satisfy legal and regulatory requirements for a relocation plan in accordance with the Uniform Relocation Act (URA) and California Relocation Assistance Law (CRAL) and Guidelines;
2. Describe and analyze the laws, statutes and regulations governing the relocation of the Project occupants, including the requirements for a relocation plan;
3. Describe the persons to be displaced by the Project and their relocation needs;
4. Describes the roles and responsibilities of HACCC and its designated relocation team;
5. Outline the relocation rights and benefits that HACCC is obligated to provide to the persons that may be displaced by the Project;

6. Outline the relocation process and mitigation measures required to ensure the Project residents are provided the relocation assistance that reasonably meets their needs;
7. Describe the relocation program to be provided, including the rights of the existing households, required notifications, benefits, and other services they are eligible to receive, and criteria for eligibility for assistance;
8. Describe the replacement housing resources that may be available to rehouse the residents including access to HCV's and other Low Income Public Housing Units (LIPH) in HACCC's portfolio;
9. Describe the process to develop, approve and update the Plan;
10. Describe the process for any appeals of the relocation benefits and services provided; and
11. Provide the general schedule and budget for relocation activities.
12. Attend resident meetings as needed with or on behalf of HACCC.

The Plan is limited to this scope, which is consistent with the guidance for relocation planning described under the URA, RAD Relocation Guidelines, CRAL and the Guidelines.

Beyond being a legal requirement, a relocation plan is a communication and management tool for the stakeholders involved in the relocation process. Identified stakeholders include the residential occupants who may be displaced, HACCC, community-based service organizations, housing counseling organizations and other interested parties.

Overview of Relocation Planning and Implementation

Overland, Pacific & Cutler, Inc. (OPC), a public real estate services consulting firm specializing in relocation planning and implementation services, was hired by the HACCC to prepare this Plan. OPC has also been retained to implement this relocation plan and provide relocation services to the households who may be displaced by the Project.

A copy of this Plan will be made available to Las Deltas households and interested parties for a period of a minimum of 30 calendar days. Each household will be notified in writing where and how they can review the draft Plan, with directions to provide written

comments directly to OPC for analysis and inclusion in the Final Relocation Plan to be reviewed and adopted by the HACCC Board of Commissioners.

Appendix A of this Plan provides definitions of many of the technical and regulatory relocation terms found in this Plan.

Overview of Relocation Assistance Program

HACCC must offer each displaced household, “comparable housing”. Such comparable housing may include, if available, tenant-based assistance such as a HCV, project based voucher assistance or, occupancy in a unit operated, or assisted by HACCC at a rental rate paid by the household that is comparable to the rental rate applicable to the unit which the household presently occupies. Those residents, who are required to move, are also entitled to payment of actual and reasonable relocation expenses and are eligible to receive relocation advisory services.

In the event any of HACCC’s actions resulting from the implementation of the RAD Application result in residential displacement, such displacement will be pursuant to the policies and procedures which would be necessary to conform to the statutes and regulations established by the federal and state law for residential displacements. No mandatory displacement activities will take place prior to the required reviews and approval of this Plan.

RELOCATION PLAN

A. REGULATORY FRAMEWORK AND REQUIREMENT ANALYSIS

The laws, regulations and statutes may become applicable to the relocation of the households at Las Deltas are listed below.

- Section 18 of the United States Housing Act of 1937 (Section 18);
- 24 CFR Part 970 – Public Housing Program – Demolition or Disposition of Public Housing Projects (Part 970);
- 49 CFR part 24 - Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA);
- HUD Handbook 1378 - HUD's implementing guidelines of the URA;
- HUD Rental Assistance Demonstration (RAD) relocation guidelines
- California Government Code Title 1, Chapter 16, Section 7260-7277 – State of California Relocation Assistance Law (CRAL); and
- California Code of Regulations Title 25, Division 1, Chapter 6 - State of California Relocation Assistance and Real Property Acquisition Guidelines (Guidelines);

The primary relocation regulations that guide the Plan and the relocation process are the URA, CRAL and the Guidelines. HACCC and their Legal Counsel shall have the responsibility of making the final determination regarding the laws, regulations and statutes applicable to the Project.

Disposition of public housing projects is subject to the provisions of Section 18 of the U.S. Housing Act of 1937, and implementing regulations found at 24 CFR Part 970 (collectively, "Section 18"), and is not subject to the Uniform Relocation Act (46 U.S.C. §4600 et seq.) and its implementing regulations (49 CFR Part 24)(collectively, "URA").

However, the ultimate utilization of RAD triggers the URA and makes this Project subject to it. Pursuant to both the federal and state laws, relocation planning is required to minimize displacement to affected Project occupants.

HACCC as the Displacing Agency is a local public agency in the State of California making the Project subject to CRAL and the Guidelines.

The regulatory requirement for the preparation of a relocation plan, 30-day review and comment period, approval, and adoption of the plan by the appropriate local legislative body comes from CRAL and the Guidelines.

It has been determined the Housing Authority of the County of Contra Costa Commission (“Commission”) is the appropriate legislative body to approve the Plan, because they make all legislative and policy decisions for the HACCC, including those necessary and required for the conversion and disposition of the Site.

These regulations require that eligible persons relocated by a publicly assisted project receive the following services and benefits, which are explained in detail throughout this Plan:

1. Required advanced notice of the relocation.
2. Written information statement describing their rights to relocation benefits and services for which they are eligible.
3. Assistance locating replacement housing that is decent, safe and sanitary and meets the household’s needs.
4. Assistance moving to replacement housing, including relocation of personal property and transfer of any household owned utility accounts.
5. Other advisory services and financial assistance that may be necessary to reasonably assist the household permanently relocate.
6. Right to appeal decisions made within the relocation program that affect them.

Appendix B of this Plan provides a side by side comparison of the URA, Section 18, CRAL, and RAD.

B. PROGRAM ASSURANCES AND STANDARDS

Adequate funds will be made available for the relocation of all households within the Project’s budget. HACCC will pay all actual, reasonable and necessary relocation expenses through its own Project or general funds.

Relocation assistance 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 VIII of the Civil Rights Act of 1968, and the Unruh Act, as well as any otherwise arbitrary or unlawful discrimination. Relocation notices will be provided in the household's primary language.

All eligible residential occupants will be provided relocation assistance and benefits under the URA and RAD Relocation Guidelines. Where the Guidelines or CRAL provide a higher level of benefit, the resident will receive benefits under the Guidelines or CRAL.

The opportunity for review and to provide written comments to the Plan by the residents and other interested stakeholders for a period of no less than 30 days is required before any displacements may occur.

Each household eligible for relocation assistance lawfully occupying a Las Deltas unit as of the Initiations of Negotiations (ION) date must be provided a Notice of Eligibility (NOE) for relocation assistance prior to, or concurrently with, a 90-Day Notice to Vacate. If a household is deemed ineligible for relocation assistance, they must be informed in writing of the reasons why the household is not eligible to receive relocation assistance and the procedures to appeal this decision.

Any resident, who disagrees with the determination of eligibility or ineligibility for relocation assistance, or the type and amount of relocation assistance that is being offered, is afforded the right to appeal the decision to the HACCC and their designated appeals hearing body.

C. RELOCATION PLANNING AND NEEDS ASSESSMENT METHODOLOGY

Early Resident Outreach

A relocation committee was not established for this Project. Instead, a series of informational community meetings will be conducted. Translation services will be provided as necessary. Materials related to these meetings will be included in Appendix C of this Plan.

The questions, comments and concerns raised at these meetings will be documented by OPC and used to develop a list of policy questions for HACCC to consider. Documentation of these meetings will be provided in Appendix D of this Plan.

Analysis of Existing Data

Preliminary needs assessment was conducted by OPC based on data provided by the HACCC in March 2016. From the results of this household survey, OPC was able to ascertain household information such as the number of households, the ages of members of the households, and special needs. This data has been used to describe the impacted residential population found later in this Plan. This data and other data will be updated and ascertained through the resident interview process as described below.

Resident Interview Process

An important process in relocation planning is collecting primary information from the impacted households. This typically occurs by conducting an interview with the household in their home. Through these meetings, household composition, special needs, and specific concerns regarding relocation are gained, which will be used by OPC to better plan for the household's relocation needs on an individual basis.

OPC will be responsible for conducting interviews with all households impacted. Resident interviews are expected to take approximately one hour to complete. Resident interview services will be made available in other languages other than English as needed.

OPC will mail each household an Interview Request Letter that provides them direction and contact information to arrange a time to meet. OPC Staff will use multiple methods to make contact with residents, including phone calls and door-to-door outreach to attempt to make contact with the household and conduct the interview. OPC Staff will document the interview in the household's relocation file, which will be maintained by OPC.

Plan Preparation, Approval and Updates

HACCC has elected to make this plan available for a 45-day comment and review period to the Project occupants and other interested parties. This exceeds the required 30-day period under the Guidelines. After this review and comment period, this Plan will be sent to the HACCC Commission for adoption. Section O of this Plan describes the review and comment period in more detail.

Adoption of the Plan is required before any date specific Notice to Vacate can be served. No residential occupant can be served a 90-day Notice to Vacate without being provided an NOE and at least one decent, safe and sanitary housing unit that meets their needs is made available to them.

This Plan should be periodically reviewed for consistency with the Project's goals and process as changes occur. The Plan should be updated substantive changes occur in the Project such as, but not limited to, additional resident information, housing resource alternatives identification, utilization of a phased approach to the relocation that may create additional projects, and/or regulatory changes that impact relocation requirements.

In accordance with the Guidelines, should implementation of the Plan not occur within 12 months of the Plan's approval, the Plan must be updated. If substantial changes are made to the Plan once it is approved, it may be necessary to recirculate the Plan for public comment and re-submit the Plan to the Board for approval.

D. GENERAL DEMOGRAPHICS AND OCCUPANT DATA & DESCRIPTIONS

Geography

The public housing units which are the subject of this Relocation Plan are located in North Richmond, California (Contra Costa County), in the "East Bay" region of the San Francisco Bay Area; carved between the Cities of Richmond and San Pablo.

General Demographics and Housing Characteristics

Population

As of 2010, it was estimated that there were 3,717 people, residing in North Richmond.

Race and Ethnicity

The U.S. Census Bureau's 2010 estimates provide that the racial, and ethnic group break-out of North Richmond's population as being 17.06% 'White'; 33.33% 'African American'; 50.01% 'Hispanic or Latino of Any Race'; 11.60% 'Asian American'; 32.04% 'Some Other Race'; 4.87% 'Two or More Races'. 62% 'Native-American'; and, .48% 'Pacific Islander'.

Income

According to 2013 American FactFinder data, the median *household* income in North Richmond was \$37,396 per annum with approximately 22.1% of the total population living below the poverty line. Incomes were distributed as follows in Table 1:

Table 1: Income Distribution

| | |
|---|-----------|
| Median earnings (dollars) | 21,955.00 |
| Full-time, year-round workers with earnings | 928 |
| \$1 to \$9,999 or loss | 0.00% |
| \$10,000 to \$14,999 | 7.80% |
| \$15,000 to \$24,999 | 27.00% |
| \$25,000 to \$34,999 | 20.30% |
| \$35,000 to \$49,999 | 24.50% |
| \$50,000 to \$64,999 | 13.80% |
| \$65,000 to \$74,999 | 0.00% |
| \$75,000 to \$99,999 | 4.00% |
| \$100,000 or more | 2.70% |

Las Deltas Households

Of the 214 public housing units in Las Deltas, 95 units are currently occupied by 215 persons of all ages. The average household size within the occupied, Las Deltas units is 2.3 persons.

Of the 95 households, 73 heads of household are female and 22 heads of household are male.

Table 2 below provides HUD's Extremely Low-, Very Low-, Lower-income upper limits, effective March 28, 2016, reflecting the Median and Moderate income limits for households of from one to eight persons. The State income limits are informational only. For households to be assisted with Housing Choice Voucher tenant-based or project-based vouchers, the HUD income limits in the Table are applied in determining the household's income category in qualifying the household for one program, or another. The Area Median Income (AMI) for a household of four in Contra Costa County is \$92,900

The 'Extremely Low' income category represents "thirty percent (30%)" or less of Area Median Income (AMI); the 'Very Low' income category represents 30% to "fifty

percent (50%)” of the AMI; and, the ‘Lower ’income category represents 50% to “eighty percent (80%)”of AMI. All incomes are adjusted by household size.

Table 2: HUD Annual Income Limits – Contra Costa County (2016)

| Household Size | Extremely Low Annual Income | Very Low Annual Income | Lower Annual Income |
|----------------|-----------------------------|------------------------|---------------------|
| One Person | \$20,500 | \$34,150 | \$52,650 |
| Two Person | 23,400 | 39,000 | 60,150 |
| Three Person | 26,350 | 43,900 | 67,650 |
| Four Person | 29,250 | 48,750 | 75,150 |
| Five Person | 31,600 | 52,650 | 81,200 |
| Six Person | 33,950 | 56,550 | 87,200 |
| Seven Person | 36,730 | 60,450 | 93,200 |
| Eight Person | 40,890 | 64,350 | 99,200 |

By comparison with the County Median incomes above, Table 3 below shows the income distribution of the 95 households presently residing in Las Deltas public housing site, determined by their household income and respective household size.

Table 3: Las Deltas Income Category Distribution

| Measurement | Extremely low | Very Low | Low | Total |
|--------------------|---------------|----------|-----|-------|
| All Households (#) | 82 | 11 | 2 | 95 |
| All Households (%) | 86% | 12% | 2% | 100% |

Disabilities

There are an estimated 57 households with one or more members who have some degree of a physical or mental disability. It is not known at this time whether anyone

with disabilities currently requires special accommodations. HACCC is prepared to provide all necessary and required accommodations.

Existing Low Income Public Housing Units and Unit Needs

Monthly tenant rent portions at Las Deltas range from \$0.00/month to \$1152/month. Table 4 below shows the unit mix of the existing units at Las Deltas that are planned to be demolished compared to the number presently occupied where a household will be relocated from.

Table 4: Existing Units

| Las Deltas Units | | |
|-------------------------|-------------------------|-------------------------|
| BR Size | Total # of Units | Total # Occupied |
| 1 BR | 34 | 15 |
| 2 BR | 54 | 22 |
| 3 BR | 97 | 48 |
| 4 BR | 29 | 10 |
| Total | 214 | 95 |

Based upon a recent survey of households and the occupancy standards of HACCC as they apply to establishing the size of the replacement household by bedroom count, there appears to be 4% that are under-housed and require a larger unit, approximately 33 % of the households are over-housed and require a smaller-sized unit and 63 % are in a right-sized unit at this time.

HACCC's occupancy standard for the Housing Choice Voucher program provides for a bedroom for the head of household and spouse and a bedroom for each additional two persons in the household regardless of age or sex.

E. RELOCATION ASSISTANCE ELIGIBILITY

Relocation Eligibility Under 24 CFR Part 970 and the URA

Part 970.5 (h) determines that it is the responsibility of HACCC to comply with the URA and to ensure compliance with the URA (not withstanding any third party contractual

agreements). As applied to this project, 970.5 (i) defines a displaced person as any person (household, business or non-profit organization) that moves from Las Deltas as a direct result of the demolition. Notwithstanding that definition, in accordance with 970.5 (i) (2) (v) (B) (3) a person does not qualify as a displaced person if they have been:

- Evicted for serious or repeated violation of the terms and conditions of their lease, violation of applicable Federal, State or local law or other good cause, and HACCC determines that eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;
- The person moved into the property after submission of the application for demolition or disposition and the person was informed of the impact the Project could have on them in writing (also referred to as a Move-In Notice); or
- The person is otherwise ineligible for relocation assistance under the URA as described in 24.2 (9) (ii) of the URA.

All relocation programs must establish the date on which a person becomes eligible to receive relocation assistance. This date is known as the Initiation of Negotiations (ION). Per 970.5 (k), the ION is the date that HUD approves the HACCC demolition and disposition application for all 214 units, which may occur late 2016 or early 2017. In accordance with the URA, the ION is the date the project agrees to accept federal assistance, which will be the date that a RAD Conversion Certificate (RCC) is received and HACCC agrees to accept to RAD assistance per its Conversion Strategy outlined in the Introduction of this Plan.

For the purposes of this Plan, the ION date for the intent of establishing the date a person became is eligible for relocation assistance will be determined by the date HUD approves the RAD Conversion Commitment (RCC) for all 214 units. This date is used to establish the ION for determining relocation assistance eligibility under the Guidelines and CRAL. Households who were lawful tenants on this date will be eligible to receive relocation assistance, so long as they are in good standing, did not sign a move in notice, and do not vacate the property prior to receiving an NOE from HACCC or OPC.

HACCC issued a General Information Notice (GIN) to all households on October 22, 2015. This notice advises the household not to move until they receive further notice. Any household or person who vacates after receiving this notice and prior to receiving an NOE or notice of ineligibility will not be eligible to receive relocation assistance. After

HUD approves the demolition and disposition of the Site, an NOE may be issued to all households immediately or shortly thereafter. The NOE will be issued to each household at least 90-days prior to the date the household must vacate before demolition of the unit.

Relocation Eligibility Under RAD

RAD is a source of federal participation that requires relocation to be in accordance with the URA. Under the RAD program, a household is eligible to receive permanent relocation assistance if they are displaced by a project such as what is planned for Las Deltas. The household becomes eligible for relocation assistance once HUD issues an RCC. An RCC has not been issued by HUD for all 214 units.

Each household will receive a RAD Relocation Notice after the RCC is issued. The notice will explain their relocation rights under the RAD program, including the requirement to be provided permanent relocation assistance in accordance with the URA including advisory services, replacement housing, and moving assistance. This notice will be in addition to other notices required under the URA.

Ineligibility for Relocation Assistance

Any residential household that has been evicted for cause, voluntarily moves from the property after receiving the General Information Notice (GIN), or does not have a lease documenting lawful occupation of their unit will not be eligible to receive relocation assistance.

F. REPLACEMENT HOUSING NEEDS

Residents will have four months from the point at which their HCV and/or Notice of Eligibility are issued to them, to move from their unit. During that time, the resident will be offered advisory assistance to assist them in the move. HACCC will consider an extension of the 120-day period, on a case-by-case basis for extenuating circumstances. Should the request for an extension of time be denied, families will have the right to grieve this determination pursuant to the grievance procedure outlined in this document.

Generally, the Housing Choice Voucher Program is limited to families earning 50% of Annual Median Income (AMI), by household size, as compared to an income-limit of

80% of AMI for the public housing program. However, because families at Las Deltas will be treated as “continuing participants”, all families in good standing will be offered a HCV.

Any household in good standing will be afforded, depending upon availability, the opportunity to transfer to ‘comparable replacement housing’ utilizing occupancy standards applicable to public housing units or the Housing Choice Voucher program, depending on choice of continuing housing assistance, and payment of actual and reasonable moving expenses.

In addition to meeting Housing Choice Voucher Housing Quality Standards (HQS), “comparable replacement housing” includes standards such as:

- Comparable as to the number of bedrooms, living space, and type and quality of construction, but neither lesser, nor greater in rooms or living space than necessary to accommodate the household pursuant to HACCC’s occupancy standards;
- In an area that does not have unreasonable environmental conditions;
- Is not generally less desirable than the Las Deltas unit with respect to proximity to schools, employment, health and medical facilities and other public and commercial facilities and services; and,
- Is within the financial means of the household as defined in Section 6008, subdivision (c)(5) of the Guidelines.

Replacement Housing and Re-housing Plan

All households will be required to permanently vacate their current unit. This will result in a permanent displacement of all households. No eminent replacement housing construction project is planned for the site. No opportunities have been identified for the household’s to return to a new replacement housing unit at the Site. The primary replacement housing resources will be,

- Housing Units accepting a HCV available on the market in Contra Costa County and other jurisdictions,
- Other low income housing units such as Low Income Housing Tax Credit (LIHTC) units available on the market in Contra Costa County and in other jurisdictions,

- Existing and under construction affordable housing projects with Project Based Voucher contracts (which may require the household to forgo its HCV),
- Units within below market rate housing programs that accepts a HCV,
- Other LIPH units in the HACCC portfolio,
- Other housing on the market not owned or controlled by HACCC and not presently participating in the Housing Choice Voucher Program that may elect to do so.

Should a household elect to leave HACCC jurisdiction they would be required to “port” their voucher. HACCC and OPC would provide assistance to the household to do so.

Replacement Housing Survey

An estimated 95 replacement housing units will be required to provide permanent replacement housing for those displaced from Las Deltas.

To assess the current availability of potential replacement housing units, OPC conducted a preliminary housing survey in March and April of 2016 of units currently available in the North Richmond area, other communities in Contra Costa County, and outside of HACCC jurisdiction. This survey provides a sample of unit availability at this point in time. OPC included studio up to 5 bedroom units in its search to provide as broad of search possible given the potential for a household to elect to downsize, move to a larger unit to alleviate over-crowding, or find opportunities to lease a larger unit within the payment standard of their voucher size.

Table 5 provides the results of this survey. OPC will conduct periodic survey updates and track the progress of new affordable housing projects currently under construction.

Table 5: Replacement Housing Survey Results Housing Choice Voucher Units

| Housing Authority Jurisdiction | Unit Size | | | | | |
|---|------------------|-------------|-------------|-------------|-------------|-------------|
| | Studio | 1 BR | 2 BR | 3 BR | 4 BR | 5 BR |
| Contra Costa County | | 7 | 10 | 7 | 4 | |
| Richmond | | | 2 | 2 | | |
| Alameda County | 1 | | 3 | | | 2 |
| Oakland | | | 31 | 15 | 5 | |
| Berkeley | | 2 | 2 | 1 | | |
| Vallejo | | | 2 | 1 | 2 | |
| Solano County | | 2 | 10 | 5 | | |
| Marin | 1 | | 2 | | | |
| Napa County | | | 1 | | | |
| Total Located | 2 | 11 | 63 | 31 | 11 | 2 |

| | |
|---------------------------------------|---------------|
| Grand Total Located/Needed | 120/95 |
|---------------------------------------|---------------|

More in-depth replacement housing searches, based on the residents' needs and location requests prior to relocations will occur as often as necessary to provide ample rehousing information to the displaced households. Outreach will be necessary by HACCC and OPC to promote acceptance of the HCV. OPC will work with households early in the process (as early as the interview stage) to place their names on waitlists for affordable housing and below market rate housing programs. Table 6 below provides a tally of properties that currently have open waitlists in various locations.

Based on the limited availability of units located within HACCC jurisdiction, a phased relocation process or a longer duration under the notice to vacate may be warranted.

Any over-income households will be offered a transfer to other public housing units or referred to open-market housing.

Table 6: Open Waitlist Properties by Location

| Location | # of |
|-------------------------|-------------|
| Alameda | 1 |
| Concord | 4 |
| El Cerrito | 1 |
| Emeryville | 1 |
| Hayward | 1 |
| Hercules | 1 |
| Martinez | 3 |
| Oakland | 3 |
| Orinda | 1 |
| San Pablo | 1 |
| Walnut Creek | 1 |
| Total Properties | 18 |

G. CONCURRENT RESIDENTIAL DISPLACEMENT

There are no major public housing conversion projects or large redevelopment, dispositions, conversion, or repositioning of other forms of affordable housing that are expected to impact the ability of HACCC, through OPC, to relocate the displaced households. There are three active and proposed rehabilitation projects in the City of Richmond that could reduce unit availability; however, these projects are largely utilizing on-site temporary housing units, extended stay style hotels and properties that are primarily market rate with rents priced above the current HACCC payment standard. These projects do not pose a substantial impact or threat to a successful rehousing program for this Project.

H. RELOCATION ASSISTANCE PROGRAM

Relocation Staff Availability and Responsibilities

OPC's Oakland, CA based staff will be available to assist all displaced household with questions about relocation and/or assistance in relocating. For the time being, OPC staff can be contacted at 510.638.3081 between the hours of 9 am and 5 pm Monday-Friday. After business hour appointments will be made as needed for households who cannot meet during normal business hours. The households will be notified in the future of the names, phone numbers and email addresses of the team assigned to the Project.

Should staff contact information change, this relocation plan will be updated, and the households will receive a notice of the change.

OPC may utilize space at Las Deltas for a relocation office. In the interim, OPC's main office in the area is located at 7901 Oakport Street, Suite 480, Oakland, CA 94621. OPC staff should be contacted in advance to schedule an appointment at this office to ensure that a knowledgeable person is available to meet with the household.

Specific activities performed by relocation staff will include:

1. Personally present and explain the household's NOE.
2. Distribute the 90 Notice to Vacate, and where applicable, a 30-Day Notice to Vacate and other reminder notices related to the household's vacate date.
3. Provide referrals to at least three comparable replacement housing units with the household's NOE and provide additional referrals as needed and required.
4. Provide the households with relocation counseling services to assist them in making good decisions to plan their move.
5. Coordinate moves to the household's permanent replacement unit.
6. Assist with the completion and filing of relocation claims, rental applications, and appeals forms, if necessary.
7. Other assistance that may be appropriate to ensure the household receives services and benefits that are reasonably permitted and/or required under the URA and necessary to ensure that hardships and impacts are reduced as much as possible in the relocation process.
8. Document receipt of all required notices, housing referrals provided, signed claims and receipts of payments, and demonstration of advisory services and relocation assistance provided to the residents in the household's relocation file.
9. Attend tenant meetings, as needed, with or in place of HACCC.

Noticing

Notices may be personally served where needed or mailed with a certified return receipt. All notices and proof of service will be maintained in OPC's relocation case files. At a minimum, each household will receive the following from OPC. Samples of these notices are provided in Appendix E. All notices and other informational documents

provided will include OPC's contact information and any directions to the resident to contact OPC. Notices will be provided to the household in their primary language.

1. Interview request letter. This letter shall be the first formal notification the household's will receive from OPC. This letter shall invite the household to contact OPC to conduct their relocation interview.
2. A relocation assistance informational brochure or statement. These statements will be personally served in all cases with the exception of cases where the household does not make itself available to meet with OPC. In such a case this statement will be mailed certified returned receipt mail.
3. A RAD Relocation Notice in addition to their NOE, if applicable. These notices will be personally served in all cases with the exception of cases where the household does not make itself available to meet with OPC. In such a case this notice will be mailed certified returned receipt mail.
4. NOE. This notice describes the relocation assistance the household is eligible to receive and the households and HACCC's rights and responsibilities. This notice provides the maximum level housing assistance payment the household may be eligible to receive and the maximum fixed move payment (aka self-move payment) they will be eligible to receive. These notices will be personally served in all cases with the exception of cases where the household does not make itself available to meet with OPC. In such a case this notice will be mailed certified returned receipt mail.
5. A notice of ineligibility. Any person not eligible for relocation assistance will receive a notice of ineligibility. The notice will state why they are not eligible to receive relocation assistance. This notice will be mailed certified mail.
6. A 90-Day Notice to Vacate prior to their required vacation date. These notices will be mailed to each household via certified mail/return receipt requested and first class mail unless served concurrently with the NOE.
7. A 30-Day Notice to Vacate prior to their required vacation date. These notices will be mailed to each household via certified mail/return receipt requested and first class mail. NOTE: A 30-Day Notice to Vacate would only be served in cases where a household is still occupying their unit 30 days prior to the expiration of the 90-Day Notice.

Replacement Housing Assistance

Advisory Assistance: All households will be required to permanently relocate from Las Deltas. OPC will meet with all households to ascertain their replacement housing needs, locations they will consider, and other information to assist them locate appropriate replacement housing. OPC will provide assistance to all households to locate and secure a suitable replacement housing unit including providing them referrals, assisting prepare and submit applications and coordinating transportation for them where needed. HACCC will work with OPC to provide residents with assistance to be placed on waiting lists for properties that HACCC holds Project Based Voucher Housing Assistance Payment (HAP) contracts on.

Permanent Replacement Housing Assistance Payment:

Households Transferring to Other Public Housing

Households may have the opportunity to move into another public housing unit within HACCC's portfolio. In these cases the household would lease a unit with a rent at no greater than 30% of their income with adjustments for utility services such as electricity and gas. The household would not receive any further housing assistance.

Housing Choice Voucher Eligible Households

As residents of public housing, on-going rental assistance will be provided pursuant to the provisions of the Housing Choice Voucher (HCV) program of the U.S. Department of Housing and Urban Development (HUD). The HCV program provides for a household to continue paying thirty percent (30%) of the household adjusted income for their monthly housing rental costs. The provision is subject to the gross rent not exceeding the HCV Payment Standard for that household's voucher size.

In order to alleviate hardships for tenants who must pay "move-in costs" (such as credit report fees and security deposits), HACCC will provide up to seventy-five dollars (\$75.00) for credit checks and a maximum of two months' security deposit based upon the maximum monthly rent payment standards as approved by HACCC.

Housing Choice Voucher Program (HCVP) Payment Standards are set by HACCC based upon the U.S. Department of Housing and Urban Development (HUD)-published Fair Market Rents. They're updated, at least, annually. A payment standard is the

maximum allowable monthly assistance payment in HACCC's jurisdiction for an assisted household's (1) contract rent; and (2) those essential utilities for which the tenant is responsible, including a stove or refrigerator provided by the household.

Payment standards are used to determine how much of the rent is paid by HACCC, and how much by the household. Payment standards do NOT determine or limit the rent a landlord may charge.

The maximum contract rent a landlord may charge is based on the reasonable rent for the unit and the household's income. HACCC Payment Standards are listed below. Households can request the payment standards for other areas from OPC.

HACCC HOUSING CHOICE VOUCHER PAYMENT STANDARDS

| Voucher Size | 0-BR | 1-BR | 2-BR | 3-BR | 4-BR | 5-BR |
|--------------------|---------------|---------------|----------------|----------------|----------------|----------------|
| Payment Standard * | \$1242 | \$1497 | \$1,893 | \$2,639 | \$2,941 | \$3,383 |

Manufactured Home Space Rent \$841 -40% of 2 BR FMR

* Antioch, Bay Point, Bethel Island, Brentwood, Byron, Discovery Bay, Knightsen, Oakley Only

HOUSING CHOICE VOUCHER PAYMENT STANDARDS:

HACCC HIGH COST AREA

| Voucher Size | 0-BR | 1-BR | 2-BR | 3-BR | 4-BR | 5-BR |
|------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Payment Standard | \$1,449 | \$1,746 | \$2,208 | \$3,079 | \$3,431 | \$3,946 |

The above listed payment standards, which includes all utilities, represent the maximum amount the contract rent may be for each bedroom size indicated. Once a Request for Tenancy Approval (RTA) has been received, the Program Specialist will

negotiate the contract rent with the owner. The rents offered will be based on comparable rents in the area and the condition of the unit submitted on the RTA.

If a household cannot find a comparable replacement home at a monthly rent that is at or below HACCC's payment standard, that household may be eligible to receive a gap differential, called a "rental assistance payment." This differential will enable the household to cover the gap for 42 months.

The household may receive this adjustment only if without such assistance, in HACCC's determination, the household cannot lease a comparable home or apartment that is affordable at 30% of their adjusted monthly income. If a household qualifies for a rental assistance payment, the household's rent share plus utilities still must not exceed 40% of their adjusted monthly income.

Table 7 on the following page provides a sample calculation of this payment.

Table 7: Example Computation of Rent Differential Payment *

| | | |
|----------------------------------|---------|---|
| 1. Rent of Displacement Unit | \$800 | Displacement Rent plus Utility Costs |
| or | | |
| 2. Ability to Pay | \$750 | 30% of the Gross Household Income |
| 3. Lesser of lines 1 or 2 | \$750 | |
| Subtracted From: | | |
| 4. Actual New Rent | \$950 | Actual New Rent including Utility Allowance |
| or | | |
| 5. Comparable Rent | \$1,000 | Determined by Agency; <u>includes</u> Utility Allowance |
| 6. <u>Lesser</u> of lines 4 or 5 | \$950 | |
| 7. Yields Monthly Need: | \$200 | Subtract line 3 from line 6 |
| 8. Rental Assistance | \$8,400 | Multiply line 7 by 42 months |

****Note: This is a sample case only and is not reflective of actual market conditions. Not all households will receive this type of relocation assistance. The household should discuss their eligibility for this type of relocation assistance prior to making any decisions regarding their replacement housing options. This form of payment will be provided based on need.***

Moving Assistance

Households will have two options for moving assistance; a professional or self-move. OPC Staff will meet with each household to explain the moving assistance services that will be made available to them and ascertain the move option that best suit their needs and abilities.

Option 1: Self-Move (Fixed Payment In-lieu of Actual and Reasonable Move Costs): Should a household choose to conduct a self-move to their replacement housing, they will receive a Fixed Move Payment (FMP) based on the current number of rooms of personal property in their Las Deltas unit in lieu of having a professional mover relocate their personal property for them. The current federal FMP schedule for the state of California is presented in Table 8 on the following page. The household would not receive moving compensation for costs such as labor, boxes and other packing materials, utility transfers, or other costs related to the physical move of their home, if they elect the FMP, because the intent of the FMP is to provide funds to the household to pay for all costs associated with the move per the URA. OPC will prepare and process the appropriate claim for the household to receive assistance.

Table 8: Federal Fixed Move Payment Schedule

| # of Moveable Rooms | Typical Unit Size Equivalent | Payment Amount |
|----------------------------|-------------------------------------|-----------------------|
| 3 Rooms | Typical 1 BR | \$1,100 |
| 4 Rooms | Typical 2 BR | \$1,295 |
| 5 Rooms | Typical 3 BR | \$1,570 |
| 6 Rooms | Typical 4 BR | \$1,815 |
| Additional Rooms | i.e. outdoor storage | \$250 |

Option 2: Professional Move. HACCC will directly pay for any professional moving services required. OPC staff will obtain multiple bids for HACCC's consideration to hire the lowest responsible bidding moving contractor (or contractors if multiple contractors may serve the Project's needs better) to provide moving services to senior and disabled households. Vendors will be licensed by the California Public Utilities Commission (CPUC), insured and bonded.

Services would include full packing, moving, loading, unloading, unpacking, and full replacement value insurance necessary to move the household's personal property to their permanent housing unit. Additional vendors may be needed for debris hauling services and other services that may be needed by senior and/or disabled households. These needs will be handled on a phase by phase, case by case basis. Such services are referred to as related services. OPC will coordinate all services needed by the resident for their move.

Utility Transfer Fee Reimbursement

All households that elect to be moved by the mover will be reimbursed for the actual cost of transferring/reconnecting existing telephone, utility and cable services. HACCC will not cover the cost of modifying existing telephone, utility or cable bill arrangements, or cost associated with new service. Residents are responsible for notifying the telephone, cable, electric, gas, and other utility companies of the need for a transfer. Special assistance will be provided to elderly, disabled and non-English speaking households as necessary. HACCC will reimburse residents for the actual transfer cost upon presentation of an itemized bill from the appropriate company. Advance payments may be considered, if a household demonstrates a financial hardship.

I. PAYMENT OF RELOCATION BENEFITS

Should there be any payment of relocation assistance payments payable to the household, the payment will be made expeditiously. In order to receive any applicable replacement housing payments, the household must rent and occupy a decent, safe and sanitary replacement housing within 12 months after they vacate Las Deltas. All persons eligible to receive a payment must submit claims and supporting documentation for relocation benefits to OPC no later than 18 months after the date they vacate the Project Site in order to remain eligible for payment.

A sample claim form is provided in Appendix E of this Plan. 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. OPC will review all necessary documentation before reaching a determination as to which expenses are eligible for compensation;
3. Required claim forms will be prepared by OPC and be presented to the claimant for their review and signature. Signed claims and supporting documentation will be returned to relocation staff for processing of payment;
4. OPC will review and approve claims for payment or request additional information;
5. OPC will issue benefit checks to claimants in the most secure, expeditious manner possible;
6. Receipts of payment and all claims materials will be maintained in the relocation case file;
7. In cases where the displacee disputes the amount of payment they are awarded in the claim, they may make a written appeal in accordance with the appeals process defined in Section L of this plan. Further details regarding the appeals process and a sample appeals request form is provided in Appendix F of this Plan.

J. IMMIGRATION STATUS

Federal legislation (PL105-117) prohibits the payment of relocation assistance benefits under the URA to any alien not lawfully present in the United States unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the household unit, and any other impact determined by HACCC to negatively affect the alien's spouse, parent or child.

In order to track and account for relocation assistance and benefit payments, OPC will be required to seek immigration status information from each displacee 18 years of age or older by having them self-certify as to their legal status. Each household will be

required to sign a certificate of lawful presence prior to any direct payment of relocation payments. Any residents not lawfully present in the United States that are paid relocation assistance will not be paid with any source of federal funds.

HACCC will pay relocation assistance with a non-federal source of funds to eligible persons not lawfully present in the United States.

K. EVICTION POLICY

It is recognized that eviction is permissible only as a last resort and that relocation records must be documented to reflect the specific circumstances surrounding any eviction. Eviction will only take place in cases of nonpayment of rent; a serious violation of the rental agreement; a dangerous or illegal act in the unit; violation of federal, state, or local laws; or, if the household refuses all reasonable offers to move.

L. APPEALS POLICY

HACCC's Grievance Policy will follow the standards described in Article 5, Section 6150 et seq., Title 25, Chapter 6, State of California, Department of Housing and Community Development (H&CD) Program guidelines.

Briefly stated, a displaced household will have the right to ask for review when there is a perceived grievance regarding any of its (the household's) rights to relocation and relocation assistance, including the determination as to eligibility, the amount of payment, or the failure to provide a comparable replacement housing referral. Appeals regarding HACCC property management practices may also be considered. Appendix F provides a full description of the appeals process.

Requests for review will be directed first to OPC to attempt to resolve between the Household and the relocation agent. If the matter cannot be resolved in this manner, the appeal would then be sent

Housing Authority of the County of Contra Costa,
Attn: T B D
3133 Estudillo Street
Martinez, CA 94553

Should the appellant and HACCC not be able to resolve the appeal, the appellant may forward their appeal to the HACCC Commission or a duly appointed body serving as the Appeals Board.

Pursuant to California Code of Regulations Section 6156(d), a complainant shall have 18 months from the time s/he moves from the property to file a request for an informal settlement of a grievance or a formal grievance hearing under HACCC's Grievance Procedure.

M. PROJECTED RELOCATION SCHEDULE

The general relocation planning and implementation schedule is shown below. The relocation schedule is subject to change and will be updated in future updates to this Plan.

- Relocation Plan Development: March – April, 2016
- Household interviews – 3rd Quarter of 2016
- Plan Public Comment Period: 4th Quarter of 2016
- Board Adoption Hearing: 4th Quarter of 2016
- Relocation Status Update Meetings With Tenants: Periodically 2016 –2017
- Relocations: 1st and 2nd Quarter of 2017

The relocation schedule will be developed in greater detail by OPC once more detailed project schedules are available from the HACCC. OPC will prepare and provide periodic schedule updates to the HACCC as requested and to the households as needed to keep them advised and informed of upcoming relocation activity that may affect them.

N. ESTIMATED RELOCATION COSTS

The estimated relocation cost provided below is based on the best current available data related to the overall project schedule, potential number of relocations, and the estimated vendor costs as of April 4, 2016.

This cost estimate includes the cost of professional services, utility transfer, security deposit and application fee reimbursements, and potential rental assistance payments that may be required.

The cost estimate is considered conservative at this time and should remain as such until certain factors are better understood and more easily controlled, including the number of total relocations and the number of household that may be able to conduct self-moves.

A 20% contingency has been used to mitigate against potential cost increases, including the provision of services not yet considered in the Plan, higher than estimated rent differential payments, moving cost increases based on formal bids and ultimate vendor contracts, and other unforeseen factors that could increase the cost of implementing this Plan. A 20% contingency is used, because there is a lengthy time horizon between its approval and actual implementation of relocation.

The approval of this Plan does not constitute the approval of the relocation budget for the purposes of determining maximum levels of eligible compensation. These maximums will be based on actual data at the time of the preparation of an NOE in accordance with the URA. The HACCC cannot offer lesser relocation payments than those required by the URA, Guidelines or CRAL in order to conform to the parameters of the preliminary budget that is included in the approved relocation plan.

This is an important Section of the Plan to be monitored and periodically updated.

As the project variables become more reliable, updates to the budget will be prepared. Table 9 below provides the preliminary proforma cost estimate for the Project. As stated, the cost estimate is subject to change as the project details are solidified in greater detail.

Table 9: Proforma Relocation Cost Estimate *

| Cost Estimate Line Item | Estimated Cost |
|--|-----------------------|
| Estimated Residential Relocation Costs | \$1,338,000.00 |

***Cost estimate is subject to change. Estimate is not an assumption of any cash payout to any household.**

O. RESIDENT PARTICIPATION/PLAN REVIEW

In accordance with the Guidelines, the Plan is required to be circulated for a minimum of a 30-day public review and comment period. HACCC has elected to exceed this requirement.

The Plan will be made available to each Project household for a 45-day review period and their written comments will be collected. Households will receive a notice of the Plan's availability and a summary of the Plan. Non-Las Deltas residents, including public agencies, advocacy groups and other interested parties, will also be invited to provide written comments to the Plan. The comment period will open on June 17, 2016 and the public will have the opportunity to comment on the document until the public hearing on August 9, 2016 when it is submitted to the Board of Commissioners for approval.

A copy of this Plan will be available for review at the following locations beginning on June 17, 2016:

- Las Deltas Housing Development: 1601 No. Jade Street, North Richmond, CA
- El Pueblo Housing Development: 875 El Pueblo Ave., Pittsburg, CA
- Oakley Housing Development: 909 A Rosemary Lane Oakley, CA
- Rodeo Housing Development: 2 California Street, Rodeo, CA
- Main Office: 3133 Estudillo Street, Martinez, CA
- Housing Choice Voucher Office: 2870 Howe Rd., Martinez, CA

The Plan may also be accessed online at www.contracostahousing.org. A summary of the draft Relocation Plan will also be presented at a resident meeting on July 21, 2016 at the Las Deltas site.

The Plan will be presented for approval to the HACCC Commission Board on or around August 9, 2016. Further notice will be provided to the Project residents regarding the Commission hearing.

Any written comments or questions received will be included in Appendix G of the Final Relocation Plan to be presented to the Commission for approval.

All written comments should be mailed, faxed, or emailed to:

Chad Wakefield
Senior Project Manager
Overland, Pacific and Cutler
7901 Oakport Street, Suite 4800
Oakland, CA 94621
Email: cwakefield@opcservices.com
Fax: (562) 304-2020

Once approved, this Plan will be updated if regulatory changes occur that impact the Project and relocation of the households.

LIST OF APPENDICES:

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A. GLOSSARY OF RELOCATION TERMS

90-Day Notice This is a notice that may be given to a person who will be required to move a residence, business or personal property as a result of the agency's project. It informs the person that he or she must move the residence, business or personal property 90 days from the date of the notice. This notice can only be given after a relocation plan is approved and a Notice of Eligibility or other form of eligibility notice for relocation benefits has been given to the displaced person(s).

30-Day Notice This is a notice that may be given to a person who will be required to move a residence, business or personal property as a result of the agency's project. It informs the person that he or she must move the residence, business or personal property 30 days from the date of the notice. This notice can only be given after a 90-day notice is given to the displaced person(s).

Comparable Replacement Dwelling The term *comparable replacement dwelling* means a dwelling which is:

(i) Decent, safe and sanitary; (ii) Functionally equivalent to the displacement dwelling. The term *functionally equivalent* means that it performs the same function, and provides the same utility. While a comparable replacement dwelling need not possess every feature of the displacement dwelling, the principal features must be present. Generally, functional equivalency is an objective standard, reflecting the range of purposes for which the various physical features of a dwelling may be used. However, in determining whether a replacement dwelling is functionally equivalent to the displacement dwelling, the Agency may consider reasonable trade-offs for specific features when the replacement unit is equal to or better than the displacement dwelling; (iii) Adequate in size to accommodate the occupants; (iv) In an area not subject to unreasonable adverse environmental conditions; (v) In a location generally not less desirable than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and reasonably accessible to the person's place of employment; (vi) on a site that is typical in size for residential development with normal site improvements, including customary landscaping. The site need not include special improvements such as outbuildings; (vii) Currently available to the displaced person on the private market; and (viii) Within the financial means of the displaced person: A replacement dwelling rented by an eligible displaced person is considered to be within

his or her financial means if, after receiving rental assistance under this part, the person's monthly rent and estimated average monthly utility costs for the replacement dwelling do not exceed the person's base monthly rental for the displacement dwelling; For a displaced person who is not eligible to receive a replacement housing payment because of the person's failure to meet length-of occupancy of occupancy requirements, comparable replacement rental housing is considered to be within the person's financial means if an Agency pays that portion of the monthly housing costs of a replacement dwelling which exceeds the person's base monthly rent for the displacement dwelling. Such rental assistance must be paid under Replacement housing of last resort. (ix) For a person receiving government housing assistance before displacement, a dwelling that may reflect similar government housing assistance. In such cases any requirements of the government housing assistance program relating to the size of the replacement dwelling shall apply.

Decent, Safe, and Sanitary Dwelling The term *decent, safe, and sanitary dwelling* means a dwelling which meets local housing and occupancy codes. However, any of the following standards which are not met by the local code shall apply unless waived for good cause by the Federal Agency funding the project. The dwelling shall: (i) Be structurally sound, weather tight, and in good repair; (ii) Contain a safe electrical wiring system adequate for lighting and other devices; (iii) Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) for a displaced person, except in those areas where local climatic conditions do not require such a system; (iv) Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. The number of persons occupying each habitable room used for sleeping purposes shall not exceed that permitted by local housing codes or, in the absence of local codes, the policies of the displacing Agency. In addition, the displacing Agency shall follow the requirements for separate bedrooms for children of the opposite gender included in local housing codes or in the absence of local codes, the policies of such Agencies; (v) There shall be a separate, well lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system. In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator; (vi) Contains unobstructed egress to safe, open space at ground level; and

(vii) For a displaced person with a disability, be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person.

Displacement The act of requiring a displaced person to move permanently from the dwelling in which they occupy for a federally or State funded or sponsored project.

Displacement Dwelling The term displacement dwelling means the dwelling unit on the real property that the displaced person moves from or moves his or her personal property from the real property.

Displacing Agency The term displacing Agency means any Federal Agency carrying out a program or project, and any State, State Agency, or person carrying out a program or project with Federal financial assistance, which causes a person to be a displaced person.

Displaced Person (i) *General* the term *displaced person* means any person who moves from the real property or moves his or her personal property from the real property. This includes a person who occupies the real property prior to its acquisition, but who does not meet the length of occupancy requirements. (A) As a direct result of a written notice of intent to acquire, the initiation of negotiations for, or the acquisition of, such real property in whole or in part for a project; (B) As a direct result of rehabilitation or demolition for a project. (ii) *Persons not displaced*. The following is a nonexclusive listing of persons who do not qualify as displaced persons under this part: (A) A person who moves before the initiation of negotiations, unless the Agency determines that the person was displaced as a direct result of the program or project; (B) A person who initially enters into occupancy of the property after the date of its acquisition for the project; (C) A person who has occupied the property for the purpose of obtaining assistance under the Uniform Act; (D) A person who is not required to relocate permanently as a direct result of a project. Such determination shall be made by the Agency in accordance with any guidelines established by the Federal Agency funding the project, or as a result of the rehabilitation or demolition of the real property. (However, the displacement of a tenant as a direct result of any acquisition, rehabilitation or demolition for a Federal or federally assisted project is subject to this part.); (E) A person who, after receiving a notice of relocation eligibility, is notified in writing that he or she will not be displaced for a project. Such written notification shall not be issued unless the person has not moved and the Agency agrees to reimburse

the person for any expenses incurred to satisfy any binding contractual relocation obligations entered into after the effective date of the notice of relocation eligibility.

Fixed Residential Moving Cost Schedule This schedule is used to calculate the amount of reimbursement that displaced persons may be eligible to receive if they decide to move their own personal property. The Federal Highways Administration periodically updates and distributes this schedule. A copy can be found on our web site at: <http://www.fhwa.dot.gov/realestate/index.htm> in the section *Relocation Assistance*. Payment per this schedule is also known as a fixed move payment.

Good Standing means that a household is the lawful tenant of the unit and the household must not have been evicted or be in the process of an eviction to maintain their eligibility.

Household means one or more persons occupying a housing unit.

Low-income Families means families whose annual incomes do not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low household incomes.

Memorandum of Understanding (MOU) The term Memorandum of Understanding is used to describe the document that explains the temporary relocation benefits to be provided to an occupant of a residential dwelling unit that is required to move from the unit temporarily. The MOU will be provided the occupant for their review and signature prior to the expected move date.

Notice of Eligibility (NOE) The term Notice of Eligibility, also referred to as an NOE, is the written description of the type of permanent relocation benefits and the monetary amount(s) of those benefits a displaced person is eligible to receive under the appropriate relocation statutes or laws (for example the URA.) This notice can be given prior to the approval of the relocation plan as deemed appropriate by the displacing agency.

Relocation The act of moving permanently or temporarily from a dwelling unit as a result of a federally or State funded or sponsored project where the URA or other relocation statutes or laws are triggered.

Rent Differential Payment Amount of assistance paid to a displaced person, who is a renter, to compensate for the difference between the monthly rent and utility payment that they will pay at the replacement dwelling unit and what was paid for rent and utilities at the displacement dwelling. This difference is calculated over a 42 month period. If Tenant-based Rental Assistance such as Housing Choice Voucher is available to the displaced person, that amount of assistance will offset a portion of the difference and any un-met portion of the difference is eligible to be paid for with a rent differential payment. The payment must be claimed within 18 months after the displaced person moves from the displacement dwelling. Also referred to as a Rental Assistance Payment (RAP) or Replacement Housing Payment (RHP).

Replacement Dwelling A replacement dwelling is the unit the displaced person elects to move to from the displacement dwelling. A displaced person must locate and move into a replacement dwelling within 12 months of the date they vacate the displacement dwelling to claim a RAP.

Tenant-based Rental Assistance is a form of rental assistance in which the assisted tenant may move from a dwelling unit with a right to continued assistance. Tenant-based rental assistance under this part also includes security deposits for rental of dwelling units. A common form of Tenant Based Rental Assistance is a Housing Choice Voucher.

Uniform Act Relocation (URA) The term *Uniform Act* means the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91–646, 84 Stat. 1894; 42 U.S.C. 4601 *et seq.*), and amendments thereto. Also known as the URA.

B. APPLICABLE RELOCATION REGULATIONS

Permanent Relocation Assistance for Displaced Public Housing Tenants: URA, 104(d), California, and RAD Relocation Requirements¹

| | URA | Section 18 | California Law | RAD |
|-----------------|--|---|---|--|
| Relocation Plan | <p>Must plan for relocation which may include conducting a survey of needs including:</p> <ul style="list-style-type: none"> Estimate of the number of households to be displaced including information such as owner/tenant status, estimated value and rental rates of properties to be acquired, household characteristics, and special consideration of the impacts on minorities, the elderly, large families, and persons with disabilities when applicable Estimate of comparable replacement housing available (including price ranges and rental rates). Consideration of any special relocation advisory services that may be necessary from the housing authority and other cooperating agencies. <p>No formal plan documents are required, and no approval process is required.</p> | <p>Relocation Plan must include:</p> <ul style="list-style-type: none"> The number of individual residents to be displaced; The type of counseling and advisory services the PHA plans to provide; What housing resources are expected to be available to provide housing for displaced residents; and An estimate of the costs for counseling and advisory services and resident moving expenses, and the expected source for payment of these costs. <p>Relocation must be executed on a nondiscriminatory basis</p> <p>PHA must provide in disposition application the following information:</p> <ul style="list-style-type: none"> The number of occupied units; A schedule for relocation on a month-to-month basis; | <p>As soon as possible following initiation of negotiation PHA must prepare relocation plan and submit for approval of PHA board of Head of PHA. Plan must be available for public comment and review at least 30 days prior to approval. Plan must contain -</p> <ul style="list-style-type: none"> Analysis of relocation needs Projected dates of displacement Analysis of comparable housing resources Description of relocation advisory services Description of relocation payments Cost of carrying out relocation plan Last resort housing plan if necessary Temporary relocation plan if applicable Plans for citizens participation Comments from relocation committee if applicable. | <ul style="list-style-type: none"> Written relocation plan is not required but strongly encouraged Must conform w/ URA 49 CFR 24.205(a) Relocation budget Certificate of URA Compliance <p>The Relocation Plan should provide a general description of and purpose for the project (e.g., year built, location, # of units, configuration, occupancy information, and funding sources.)</p> <p>The basic components of a plan include:</p> <ul style="list-style-type: none"> A general description of the project and the site, including acq., demolition, rehab, and construction activities and funding sources; A detailed discussion of the specific steps to be taken to minimize the adverse impacts of relocation, including when transferring the assistance to a new site; Info on occupancy (including the # of residents, residential owner-occupants and non-residential occupants, if any, to be permanently or temp relocated); |

¹ California Relocation Law (California Government Code Section 7260 et seq. (the CRAL"), and the California Relocation Assistance and real Property Acquisition Guidelines, Title 15, CCR, Section 6000 et seq. (the "Guidelines") (collectively, the "California Relocation Law"); Section 18 of the U.S. Housing Act of 1937, and implementation regulations at 24 CFR Part 970) (collectively, "Section 18"); the Uniform Relocation Act (46 U.S.C. §4600 et seq.), and its implementation regulations (49 CFR Part 24)(collectively, "URA"); RAD is subject to the URA.

| | URA | Section 18 | California Law | RAD |
|---|--|---|----------------|---|
| | | | | <ul style="list-style-type: none"> • Info on relocation needs and costs (including the # of residents who plan to relocate with Housing Choice Voucher assistance); • General moving assistance info; • Temp move assistance (including info on duration of temp moves); • Permanent move assistance; and • Appeals process |
| Moving & Related Expenses (PHA unit move to a PHA unit) | <p>PHA choice!</p> <ul style="list-style-type: none"> • PHA move resident with force account staff or contractor (\$100 allowance to resident), or allow resident to choose: <ul style="list-style-type: none"> ○ Payment for actual costs of a self-move, or ○ Payment for self-move at DOT schedule amount Or ○ A combination of both | <ul style="list-style-type: none"> • Actual and reasonable relocation expenses | | <p>PHA choice!</p> <ul style="list-style-type: none"> • PHA move resident with force account staff or contractor (\$100 allowance to resident), or allow resident to choose: <ul style="list-style-type: none"> ○ Payment for actual costs of a self-move, or ○ Payment for self-move at DOT schedule amount Or ○ A combination of both • PHA responsible for covering all reasonable moving expenses incurred in connection with temporary relocation of a resident. • The PHA will not make fixed payments since such payments may not be representative of actual reasonable costs incurred. However, in order for a resident to be sure of full reimbursement, the resident should submit a moving cost estimate to the PHA for approval prior to the move unless the PHA is directly carrying out the move and the resident will incur any reasonable out-of-pocket |

| | URA | Section 18 | California Law | RAD |
|--|---|--|--|---|
| | | | | moving expenses. |
| Moving & Related Expenses (PHA unit move to non-public housing—with or without Voucher assistance) | Resident's choice! <ul style="list-style-type: none"> Payment for actual costs of a Self-move, or Payment for self-move at DOT schedule amount, or A combination of both. (Optional) PHA may offer to move resident with force account staff or contractor (\$100 allowance to resident) | <ul style="list-style-type: none"> Actual and reasonable relocation expenses | Actual and reasonable moving costs including costs for <ul style="list-style-type: none"> Transportation not to exceed a distance of 50 miles except where justified Packing and unpacking Storage of personal property if necessary Replacement value of property lost, stolen or damaged | Resident's choice! <ul style="list-style-type: none"> Payment for actual costs of a Self-move, or Payment for self-move at DOT schedule amount, or A combination of both. (Optional) PHA may offer to move resident with force account staff or contractor (\$100 allowance to resident) |
| Replacement Housing | <ul style="list-style-type: none"> Offer comparable replacement dwelling which may be: <ul style="list-style-type: none"> Tenant based assistance (voucher) Project-based assistance Public housing unit | <ul style="list-style-type: none"> Provide comparable housing which may be: <ul style="list-style-type: none"> Tenant based assistance (voucher) Project-based assistance Public housing unit | <ul style="list-style-type: none"> Provide at least three offers of comparable replacement housing – no specific provisions regarding the use of subsidized housing as an offer of comparability. | <ul style="list-style-type: none"> Offer comparable replacement dwelling which may be: <ul style="list-style-type: none"> Tenant based assistance (voucher) Project-based assistance Public housing unit Homeownership housing Private-market rental housing (affordable, non-subsidized). |
| Replacement Housing Payment (RAP) | <ul style="list-style-type: none"> Computed on 42-month period Amount needed to reduce new rent/utility costs to the lower of old rent/utility costs or (for low income persons only, 30% of gross monthly income) "Gap" payments may be necessary even between old PHA rent/utilities and new subsidized rent/utilities | <ul style="list-style-type: none"> No Replacement Housing Payment No provisions for "gap" payments | <ul style="list-style-type: none"> Computed on 42-month period Amount needed to reduce new rent/utility costs to the lower of old rent/utility costs or 30% of gross monthly income "Gap" payments may be necessary even between old PHA rent/utilities and new subsidized rent/utilities | <ul style="list-style-type: none"> Computed on 42-month period Amount needed to reduce new rent/utility costs to the lower of old rent/utility costs or (for low income persons only, 30% of gross monthly income) "Gap" payments may be necessary even between old PHA rent/utilities and new subsidized rent/utilities |

| | URA | Section 18 | California Law | RAD |
|----------|--|---|---|---|
| Notices | <ul style="list-style-type: none"> • General Information Notice (GIN) • Notice of Eligibility or Non-displacement at ION • 90 day notice to vacate | <ul style="list-style-type: none"> • 90 day notice to move | <ul style="list-style-type: none"> • General Information Notice (GIN) within sixty days of Initiation of Negotiations • Notice of Eligibility o • 90 day notice to vacate | <ul style="list-style-type: none"> • General Information Notice (GIN) • RAD Notice of Relocation • Notice of Intent to Acquire • URA Notice of Relocation Eligibility-for residents whose temporary relocation exceeds one year • 90 day notice to vacate |
| Services | <ul style="list-style-type: none"> • Advisory services <ul style="list-style-type: none"> ○ Determine resident needs and preferences ○ Explain payments and assistance ○ Current and continuing information on comparable housing ○ Inspection of replacement housing ○ Assistance filling out claim forms ○ Mobility counseling ○ Transportation to inspect replacement housing ○ Advice on other assistance sources ○ Information on federal and state housing programs | <ul style="list-style-type: none"> • Necessary counseling • Mobility counseling | <ul style="list-style-type: none"> • Advisory services <ul style="list-style-type: none"> ○ Determine resident needs and preferences ○ Explain payments and assistance ○ Current and continuing information on comparable housing ○ Inspection of replacement housing ○ Assistance filling out claim forms and applications ○ Mobility counseling ○ Transportation to inspect replacement housing ○ Advice on other assistance sources • Information on federal and state housing programs • Inform all persons about eviction policies | <ul style="list-style-type: none"> • Advisory services <ul style="list-style-type: none"> ○ Determine resident needs and preferences ○ Explain payments and assistance ○ Current and continuing information on comparable housing ○ Inspection of replacement housing ○ Assistance filling out claim forms ○ Mobility counseling ○ Transportation to inspect replacement housing ○ Advice on other assistance sources ○ Information on federal and state housing programs • May include housing counseling that should be facilitated to ensure that residents affected by the project understand their rights and responsibilities and the assistance available to them • Must also inform residents of their fair housing rights • PHAs should inform residents that if they believe they have experienced unlawful discrimination, they may contact HUD at 1-800-669-9777 (Voice) or 1-800-927-9275 (TDD) or at http://www.hud.gov. |

| | URA | Section 18 | California Law | RAD |
|--|---|---|---|---|
| Aliens not lawfully present in country | <ul style="list-style-type: none"> Aliens not lawfully in the country are not eligible for relocation benefits | <ul style="list-style-type: none"> No prohibition on benefits for illegal aliens | <ul style="list-style-type: none"> No prohibition on benefits for illegal aliens | <ul style="list-style-type: none"> Aliens not lawfully in the country are not eligible for relocation benefits |
| Impact of eviction on eligibility | <ul style="list-style-type: none"> Persons who are evicted before or after initiation of negotiation are ineligible for benefits | <ul style="list-style-type: none"> No provisions | <ul style="list-style-type: none"> Eviction does not impact eligibility for benefits. Displaced persons do not include unlawful occupants (those persons evicted by court order or who vacated after receipt of a termination notice) unless persons was occupant of permanently affordable housing. | <ul style="list-style-type: none"> Persons who are evicted before or after initiation of negotiation are ineligible for benefits |

C. RESIDENT MEETING MATERIALS

D. RESIDENT MEETING DOCUMENTATION

E. SAMPLE RELOCATION FORMS



General Information Notice

Residential Occupant to Be Displaced

<<DATE>>

<<HEAD-OF-HOUSEHOLD>> and All Other Occupants

<<MAILING ADDRESS>>

<<CITY, STATE ZIP>>

Dear Occupants:

The <<**CLIENT NAME**>> (called here the “Displacing Agency”) is interested in <<**INSERT ACTION:** e.g. acquiring, rehabilitating, demolishing>> the property you currently occupy at <<**SITE ADDRESS**>> for the <<**PROJECT NAME**>> (Project). This notice is to inform you of your rights under Federal and or State law. If the Displacing Agency acquires the property and you are displaced for the Project, you will be eligible for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended and California Relocation Assistance Law (Sec 7260 et. seq. of the CA Government Code).

However, you do not have to move now.

This is not a notice to vacate the premises or a notice of relocation eligibility.

The Displacing Agency has retained the professional firm of **Overland, Pacific & Cutler, Inc.** (OPC) to represent the Agency and assist in the relocation process.

In order to assess and better plan for the relocation needs of possible displaced households in the Project, the Displacing Agency is preparing a Relocation Plan. In order to prepare this relocation plan, OPC staff will need to meet with you to assess your relocation needs. OPC will be out in the neighborhood beginning the week of <<**INTERVIEW DATE**>>, and will be trying to contact you then. If you want to make an appointment that is convenient for you, please call the relocation agent identified below.

If you rent your unit, you should continue to pay your monthly rent to your landlord because failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. You are urged not to move or sign any agreement to purchase or lease a unit before receiving formal notice of eligibility for relocation assistance. If you move or are evicted before receiving such notice, you will not be eligible to receive relocation assistance. Please contact us before you make any moving plans.

If the Displacing Agency acquires the property and you are eligible for relocation assistance, you will be given advisory services, including referrals to replacement housing, and at least 90 days advance written notice of the date you will be required to move. You would also receive a payment for moving expenses and may be eligible for financial assistance to help you rent or buy a replacement dwelling. Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

Note that pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

Again, this is not a notice to vacate and does not establish eligibility for relocation payments or other relocation assistance. If the Displacing Agency decides not to purchase the property, you will be notified in writing.

If you have any questions about this or any other relocation issues, please contact me at the address and the phone number below.

Sincerely,

<<PROJECT MANAGER NAME>>

<<PROJECT MANAGER TITLE>>

Overland, Pacific & Cutler, Inc.

<<OFFICE ADDRESS>>

Phone <<PHONE>>

Carbon Copy To:

<<CC NAME>>

<<CC ADDRESS>>

_____ Delivered on/by: _____ / _____
Received by

X _____ Posted on/by: _____ / _____
Recipient's Signature

_____ Mailed/receipt received on: _____ / _____
Date

Relocation Assistance Informational Statement for Families and Individuals

(Federal)

Displacing Agency:

<< **CLIENT NAME** >>

Project Name:

<< **PROJECT NAME** >>

Displacing Agency Representative:



Overland, Pacific & Cutler, Inc.

<< **OFFICE ADDRESS** >>

<< **OFFICE CITY** >>

Phone: << **OFFICE PHONE** >>

Informational Statement Content:

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

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

Informational Statement for Families and Individuals

(Federal)

1. GENERAL INFORMATION

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

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

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

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

2. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

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

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

3. MOVING BENEFITS

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

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

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

A. Fixed Moving Payment (Self-Move)

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the Displacing Agency, and ranges, for example, from \$450.00 for one furnished room to \$2,365.00 for eight rooms in an unfurnished dwelling. (For details see the table). Your relocation agent will inform you of the amount you are eligible to receive, if you choose this type of payment.

If you select a fixed payment, you will be responsible for arranging for your own move, and the Displacing Agency will assume no liability for

| Fixed Moving Schedule CALIFORNIA (Effective 2012) | |
|--|---------|
| Occupant Owns Furniture: | |
| 1 room | \$685 |
| 2 rooms | \$880 |
| 3 rooms | \$1,100 |
| 4 rooms | \$1,295 |
| 5 rooms | \$1,570 |
| 6 rooms | \$1,815 |
| 7 rooms | \$2,090 |
| 8 rooms | \$2,365 |
| Each additional room | \$250 |
| Occupant does NOT Own Furniture: | |
| 1 room | \$450 |
| Each additional room | \$85 |

any loss or damage of your personal property. A fixed payment also includes utility hook-ups and other related moving fees.

B. Actual Moving Expense (Commercial Move)

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

4. REPLACEMENT HOUSING PAYMENT – TENANTS AND CERTAIN OTHERS

You may be eligible for a payment up to \$7,200.00 to assist in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant or owner who has occupied the present dwelling for at least 90 days immediately prior to the initiation of negotiations.

- A. **Rental Assistance.** If you **wish to rent** your replacement dwelling, your maximum rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or thirty percent (30%) of your monthly household income if your total gross income is classified as “low income” by the U. S. Department of Housing and Urban Development’s (HUD) Annual Survey of Income Limits for Public Housing and Housing Choice Voucher Programs. You will be required to provide your relocation agent 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 agent will clarify procedures necessary to apply for this payment.

5. HOUSING CHOICE VOUCHER TENANTS

When you do move, you may be eligible to transfer your Housing Choice Voucher eligibility to a replacement site. In such cases, a comparable replacement dwelling will be determined based on your household composition at the time of displacement and the current housing program

criteria. This may not be the size of the unit you currently occupy. Your relocation agent will provide counseling and other advisory services along with moving benefits.

6. QUALIFICATION FOR, AND FILING OF, RELOCATION CLAIMS

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

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

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

7. LAST RESORT HOUSING ASSISTANCE

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

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

8. RENTAL AGREEMENT

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

9. EVICTIONS

Eviction for cause must conform to applicable State and local law. Any person who occupies the real property and is not in unlawful occupancy on the date of initiation of negotiations, is presumed to be entitled to relocation benefits, unless the Displacing Agency determines that:

- The person received an eviction notice prior to the initiation of negotiations and, as a result, was later evicted; or
- The person is evicted after the initiation of negotiations for serious or repeated violation of material terms of the lease; and
- The eviction was not undertaken for the purpose of evading relocation assistance regulations.

Except for the causes of eviction set forth above, no person lawfully occupying property to be purchased by the Displacing Agency will be required to move without having been provided with at least 90 days written notice from the Displacing Agency.

10. APPEAL PROCEDURES - GRIEVANCE

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

11. TAX STATUS OF RELOCATION BENEFITS

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

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

Internal Revenue Code or (ii) promoting marketing or recommending to another party any matters addressed herein)

12. LAWFUL PRESENCE REQUIREMENT

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. 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, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the household unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US.

13. NON-DISCRIMINATION AND FAIR HOUSING

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

14. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

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

| Residential Relocation Interview | | | | | | |
|--|--------------------------------------|-------------|-----------------------|---------------------------|-------------------------------------|------------|
| Client/Project: | | | Case ID: | | | |
| Site Address: | | | Total occupants: | Interview Date: | <input type="checkbox"/> Unoccupied | |
| City, St, ZIP: | | | | Interviewer: | <input type="checkbox"/> No Contact | |
| INDIVIDUAL OCCUPANTS (use additional pages as needed) | | | | | | |
| 1. Name: | | Gender: F M | Employer/School: | | | |
| Relationship (list 1): HEAD OF HOUSEHOLD | <input type="checkbox"/> ID verified | | Income srce (list 2): | Income/empl. description: | Hire/start date: | Mo Income: |
| Lawful presence (list 3): | Date of birth: | | | | | |
| Phone/fax/email: | Move-in date: | | | | | |
| Notes/special needs: | | | | | | |
| 2. Name: | | Gender: F M | Employer/School: | | | |
| Relationship (list 1): | <input type="checkbox"/> ID verified | | Income srce (list 2): | Income/empl. description: | Hire/start date: | Mo Income: |
| Lawful presence (list 3): | Date of birth: | | | | | |
| Phone/fax/email: | Move-in date: | | | | | |
| Notes/special needs: | | | | | | |
| 3. Name: | | Gender: F M | Employer/School: | | | |
| Relationship (list 1): | <input type="checkbox"/> ID verified | | Income srce (list 2): | Income/empl. description: | Hire/start date: | Mo Income: |
| Lawful presence (list 3): | Date of birth: | | | | | |
| Phone/fax/email: | Move-in date: | | | | | |
| Notes/special needs: | | | | | | |
| 4. Name: | | Gender: F M | Employer/School: | | | |
| Relationship (list 1): | <input type="checkbox"/> ID verified | | Income srce (list 2): | Income/empl. description: | Hire/start date: | Mo Income: |
| Lawful presence (list 3): | Date of birth: | | | | | |
| Phone/fax/email: | Move-in date: | | | | | |
| Notes/special needs: | | | | | | |
| 5. Name: | | Gender: F M | Employer/School: | | | |
| Relationship (list 1): | <input type="checkbox"/> ID verified | | Income srce (list 2): | Income/empl. description: | Hire/start date: | Mo Income: |
| Lawful presence (list 3): | Date of birth: | | | | | |
| Phone/fax/email: | Move-in date: | | | | | |
| Notes/special needs: | | | | | | |
| 6. Name: | | Gender: F M | Employer/School: | | | |
| Relationship (list 1): | <input type="checkbox"/> ID verified | | Income srce (list 2): | Income/empl. description: | Hire/start date: | Mo Income: |
| Lawful presence (list 3): | Date of birth: | | | | | |
| Phone/fax/email: | Move-in date: | | | | | |
| Notes/special needs: | | | | | | |

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

| | |
|-------------------------|--|
| 1. Relation: | Spouse, Child, Foster Child, Parent, Partner, Sibling, Aunt/Uncle, Cousin, Grandparent, Parent In-Law, Sibling In-Law, Other Relative, Roommate |
| 2. Income: | Wages/Salaries, Social Security/Disability/Pension, Child Support/Alimony, Welfare/TANF/AFDC, Family Subsidy/Gift, Business Income, Interest/Dividends, Unempl./Workers Comp, AF pay, EITC, Cash Income, Rent Reduction, Other |
| 3. Legal Status: | Unknown, Citizen/National, Lawful Other, NOT Lawful, Decline to provide. |
| 4. Dwelling: | SFR, Duplex, 3-Plex, 4-Plex, Apartment, Condo/Townhome, Hotel/Motel, Mobile Home, RV, Other |
| 5. Loans: | Fixed Mortgage, Adjustable Mortgage, Interest Only, Fixed HELOC, Adjustable HELOC, Reverse Mortgage, Other |

I certify that all occupants have been identified above and that all information provided for this survey is true and complete to the best of my knowledge.

Signature:

SAMPLE RAD RELOCATION NOTICE

PHA Letterhead

[Date]

[Head of Household] and All Other Lawful Occupants
[Address]

Dear [Head of Household]:

The property you currently occupy at the Las Deltas Public Housing property is participating in the Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program.

On [date], the [Public Housing Authority] (PHA) notified you of proposed plans to completely vacate the property you currently occupy at [address]. On [date], HUD issued the RAD Conversion Commitment (RCC) and committed federal financial assistance to the project.

You will receive permanent relocation assistance and payments consistent with the URA instead of returning to the completed RAD project.

However, **you do not need to move now**. You will not be required to move sooner than 90 days after you receive written notice that at least one comparable replacement unit is available to you in accordance with 49 CFR 24.204(a).

NOTE: Aliens not lawfully present in the United States are not eligible for URA relocation assistance, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child as defined at 49 CFR 24.208(h). All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

Permanent relocation assistance, this assistance will include:

☐ Relocation Advisory Services. You are entitled to receive current and continuing information on available comparable replacement units and other assistance to help you find another home and prepare to move.

☐ Payment for Moving Expenses. You will be able to elect to have a professional moving company move your household goods to your replacement housing unit. This service will be paid for on your behalf by the HACCC. Or you may choose your own mover. The movers cost cannot exceed the lowest responsible bid received by the HACCC. You will be required to enter into a self-move agreement should you elect to hire your own mover. Or you may elect a fixed move payment based on the current federal fixed move payment schedule provided below, which is based on the number of

moveable rooms. Your relocation specialist will calculate this payment for you and prepare the appropriate claim form.

Applicable Fixed Move Payment Schedule

| # of Moveable Rooms | Typical Unit Size Equivalent | Payment Amount |
|---------------------|------------------------------|----------------|
| 3 Rooms | Typical 1 BR | \$1,100 |
| 4 Rooms | Typical 2 BR | \$1,295 |
| 5 Rooms | Typical 3 BR | \$1,570 |
| 6 Rooms | Typical 4 BR | \$1,815 |
| Additional Rooms | i.e. outdoor storage | \$250 |

☐ Replacement Housing Payment – Housing Choice Voucher Eligible. If a Housing Choice Voucher is available and you are eligible for it, you will be notified under a separate notice. The HCV may satisfy all of your monthly housing cost. If you have increased out of pocket cost you may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors including: (1) the monthly rent and cost of utility services for a comparable replacement unit, (2) the monthly rent and cost of utility services for your present unit, and (3) 30% of your average monthly gross household income. This payment is calculated on the difference between the old and new housing costs for a one-month period and multiplied by 42.

OR

☐ Replacement Housing Payment – Non Housing Choice Voucher Eligible. You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors including: (1) the monthly rent and cost of utility services for a comparable replacement unit, (2) the monthly rent and cost of utility services for your present unit, and (3) 30% of your average monthly gross household income. This payment is calculated on the difference between the old and new housing costs for a one-month period and multiplied by 42.

☐ Listed below are three comparable replacement units that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect these and other replacement units.

Address Rent & Utility Costs Contact Info:

1. _____
2. _____
3. _____

[Applies to Non-Housing Choice Voucher Eligible Occupants] We believe that the unit located at [address] is most representative of your original unit in the converting RAD project. The monthly rent and the estimated average monthly cost of utilities for this unit is [\$ amount] and it will be used to calculate your maximum replacement housing payment. Please contact us immediately if you believe this unit is not comparable to your original unit. We can explain our basis for selecting this unit as most representative of your original unit and discuss your concerns.

Based on the information you have provided about your income and the rent and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately [\$ (42 x monthly amount)], if you rent the unit identified above as the most comparable to your current home or rent another unit of equal cost.

Replacement housing payments are not adjusted to reflect future rent increases or changes in income. This is the maximum amount that you would be eligible to receive. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than the comparable unit, your replacement housing payment will be based on the actual cost of that unit. All replacement housing payments must be paid in installments. Your payment will be paid in [#] installments.

You may choose to purchase (rather than rent) a decent, safe and sanitary replacement home. If you do, you would be eligible for a down-payment assistance payment which is equal to your maximum replacement housing payment, [\$amount.] Let us know if you are interested in purchasing a replacement home and we will help you locate such housing.

Please note that all replacement housing must be inspected in order to ensure it is decent, safe and sanitary before any replacement housing payments are made.

[Applies to Housing Choice Voucher Eligible Occupants] We believe that the unit located at [address] is most representative of your original unit in the converting RAD project. The monthly rent and the estimated average monthly cost of utilities for this unit is [\$ amount]. This rent and utility is within the current payment standard for the area. If Housing Choice Voucher eligible rents increase, you may be entitled to additional relocation assistance. If this is the case, the information will be used to calculate your maximum replacement housing payment. Please contact us immediately if you believe this unit is not comparable to your original unit. We can explain our basis for selecting this unit as most representative of your original unit and discuss your concerns.

Based on the information you have provided about your income and the rent and utilities you now pay, you may be eligible for a replacement housing payment on the monthly rent differential amount between either 30% of your income or your current rent and utilities, and the contract rent for the replacement housing unit. If you rent the unit identified above as the most comparable to your current home or rent another unit of equal cost.

Replacement housing payments are not adjusted to reflect future rent increases or changes in income. This is the maximum amount that you would be eligible to receive. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than the comparable unit, your replacement housing payment will be based on the actual cost of that unit. All replacement housing payments must be paid in installments. Your payment will be paid in [#] installments.

Please note that all replacement housing must be inspected in order to ensure it is decent, safe and sanitary before any replacement housing payments are made.

If you have any questions about this notice and your eligibility for relocation assistance and payments, please contact [Name, Title, Address, Phone, Email Address] before you make any moving plans. He/she will assist you with your move to a new home and help ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Please do not rent or purchase a replacement property prior to discussing your relocation assistance with us.

This letter is important to you and should be retained.

Sincerely,

Print name:

Title:

Enclosure/s

RESIDENT ACKNOWLEDGMENT OF RECEIPT/PROOF OF SERVICE

Received by Delivered on/by: _____/_____

X _____
Recipient's Signature Posted on/by: _____/_____

Mailed/receipt received on: _____/_____



Residential 90-Day Notice to Vacate

<<DATE>>

| Your OPC Relocation Agent | |
|---------------------------|------------------|
| Name: | <<AGENT NAME>> |
| Phone: | <<OFFICE PHONE>> |
| Case ID: | <<CASE ID>> |

<<HEAD-OF-HOUSEHOLD>> and All Other Occupants

<<MAILING ADDRESS>>

<<CITY, STATE ZIP>>

Dear Occupants:

On <<RCC DATE>> the <<CLIENT NAME>>(called here the “Displacing Agency”) received approval from HUD to dispose of the property which you occupy at <<SITE ADDRESS>> (called here the “Premises”). The Displacing Agency has now determined that it will be necessary for you to vacate the Premises.

Notice is hereby given that the Displacing Agency elects to terminate your tenancy in ninety (90) days beginning <<90DAY START>> and ending <<90DAY END>> and you are hereby to quit and deliver up possession of the property you occupy on or before <<90DAY END>>. If you do not vacate the Premises by that date, the Displacing Agency will initiate legal proceedings to recover possession of the Premises, along with any rents and damages.

During this period, **Overland, Pacific & Cutler, Inc.** will be available to provide assistance with referrals to replacement sites, coordination with movers and other vendors, the processing of relocation benefit claim forms, and other tasks to help facilitate your relocation. Please contact your relocation agent listed below if you have any questions regarding this notice or the relocation process. Upon vacating your unit,

you are responsible for removing all of your personal property, delivering the Premises in satisfactory condition and turning in the keys to your relocation agent.

Sincerely,

<<AGENT NAME>>

<<AGENT TITLE>>

Overland, Pacific & Cutler, Inc.

<<OFFICE ADDRESS>>

Phone <<OFFICE PHONE>>

Carbon Copy To:

<<CC NAME>>

<<CC ADDRESS>>

Received by

Delivered on/by: ____/____

X_____
Recipient's Signature

Posted on/by: ____/____

Date

Mailed/receipt received on: ____/____



Residential 30-Day Notice to Vacate

(Federal/State)

<<DATE>>

| Your OPC Relocation Agent | |
|---------------------------|-------------------|
| Name: | < <AGENT NAME>> |
| Phone: | < <OFFICE PHONE>> |
| Case ID: | < <CASE ID>> |

<<HEAD-OF-HOUSEHOLD>> and All Other
Occupants

<<MAILING ADDRESS>>

<<CITY, STATE ZIP>>

Dear Occupants:

On <<RCC DATE>> the <<CLIENT NAME>>(called here the “Displacing Agency”) received HUD approval to dispose the property which you occupy at <<SITE ADDRESS>> (called here the “Premises”). The Displacing Agency has now determined that it will be necessary for you to vacate the Premises.

Previously you received a 90-Day Informational Notice advising that the Displacing Agency had elected to terminate your tenancy of the Premises. In accordance with that notice, the Displacing Agency is again notifying you that they have elected to terminate your tenancy in thirty (30) days beginning <<30DAY START>> and ending <<30DAY END>>, and you are hereby to quit and deliver up possession of the Premises you occupy on or before <<30DAY END>>. If you do not vacate the Premises by that date, the Displacing Agency will initiate legal proceedings against you to recover possession of the Premises, along with any rents and damages.

Please be reminded that the firm of **Overland, Pacific & Cutler, Inc.**, hired by the Displacing Agency, is available to provide you with relocation assistance and to answer any questions you may have. Please continue to coordinate your move with your relocation agent listed below. Upon vacating your unit, you are responsible for removing all of your personal property, delivering the Premises in satisfactory condition and turning in the keys to your relocation agent.

Sincerely,

<<AGENT NAME>>

<<AGENT TITLE>>

Overland, Pacific & Cutler, Inc.

<<OFFICE ADDRESS>>

Phone <<OFFICE PHONE>>

Carbon Copy To:

<<CC NAME>>

<<CC ADDRESS>>

_____ Delivered

on/by:

_____/_____

Received by

X_____ Posted

on/by:

_____/_____

Recipient's Signature

_____ Mailed/receipt

received

on:

_____/_____

Date

SAMPLE RELOCATION EXPENSE PAYMENT/REIMBURSEMENT CLAIM FORM

Relocation Information

Project Name:

Claimant Name:

Project Address:

Temporary/Permanent Replacement Address:

Purpose/Type of Payment:

Backup Documentation Used in Calculation of Payment:

Total Payment Amount:

Issue Check Payable To:

Certification by Claimant: I certify that I have not submitted any other claim for the relocation payment listed and I have not been paid by any other source. Furthermore, I certify that by accepting the “Total Payment Amount” described above represents the entire claim for the relocation expense described above.

Claimant

Signature/Date: _____

Claim Approval

| Payment Action (Initial Payment) | Initial Payment Amount | Signature | Date |
|---|---------------------------------------|------------------|-------------|
| Recommended | | | |
| Approved | | | |

F. RELOCATION APPEAL / GRIEVANCE PROCEDURES

Purpose

The purpose of this procedure is to set forth the Housing Authority of the County of Contra Costa's ("Authority") guidelines for processing appeals to determinations as to relocation eligibility, the amount of a relocation payment, or the failure to provide comparable replacement housing referrals.

Right of Review

(a) Any appellant, that is any person who believes him/herself aggrieved by a determination by the Authority as to eligibility, the amount of a relocation payment or failure to provide comparable replacement housing referrals, may, at his or her election, have his/her claim reviewed and reconsidered by the Authority, other than by the person who made the determination in question, in accordance with the procedures set forth herein, as supplemented by the procedures the Authority may establish for the conduct of hearings.

(b) A person or organization directly affected by the relocation project may petition the California Housing and Community Development Department ("HCD") to review the Authority's final relocation plan to determine if the plan is in compliance with state laws and guidelines, or to review the implementation of the relocation plan to determine if the Authority is acting in compliance with its relocation plan. Failure to petition HCD shall not limit a complainant's right to seek judicial review.

Notification to Appellant

If the Authority denies or refuses to consider a claim, the Authority's notification to the appellant of its determination shall inform the appellant of its reasons, and the applicable procedures for obtaining review of the decision. If necessary, such notification shall be printed in a language other than English.

Stages of Review by the Authority

(a) **Request for Further Written Information.** An appellant may request the Authority to provide him or her with a full written explanation of its determination and the basis therefore, if he/she feels that the explanation of the Authority's

determination accompanying the payment of the claim or notice was incorrect or inadequate. The Authority shall provide such an explanation to the appellant within three weeks of its receipt of his or her request.

(b) **Informal Oral Presentation.** An appellant may request an informal oral presentation before seeking formal review and reconsideration. A request for an informal oral presentation shall be filed with the Authority within the period described in subsection (d) of this section. The Authority shall afford the appellant the opportunity to make such presentation before a management-level Housing Authority staff person, designated by the Executive Director, who has not previously participated in the relocation decision, within 15 days of the request. The appellant may be represented by an attorney or other person of his/her choosing at his/her expense.

This oral presentation shall enable the appellant to discuss the claim with the designated Housing Authority staff person. The designated Housing Authority staff person shall make a summary of the matters discussed in the oral presentation to be included as part of the Authority's file on the appellants relocation. The right to formal review and reconsideration shall not be conditioned upon requesting an oral presentation.

(c) **Written Request for Review and Reconsideration.** At any time within the period described in subsection (d) below, an appellant may file a written request with the Authority for formal review and reconsideration. The appellant may include in the request for review any statement of fact within the appellant's knowledge or belief or other material that may have a bearing on the appeal. If the appellant requests more time to gather and prepare additional material for consideration or review and demonstrates a reasonable basis therefore, the Authority may grant the appellants request by granting the appellant a definite period of time to gather and prepare materials.

(d) **Time Limit for Requesting Review.** An appellant desiring either an informal oral presentation or seeking formal review and reconsideration, shall make a request to the Authority within eighteen (18) months following the date he/she moves from the property or the date that he/she receives final compensation for the property, whichever is later.

Formal Review and Reconsideration by HACCC

(a) **General.** The Authority shall consider the request for formal review and shall decide whether a modification of its initial determination is necessary. The arbitrator shall have the authority to revise the initial determination or the determination of a previous oral presentation. This formal review shall be conducted by an independent arbitrator (the “Arbitrator”). The Arbitrator shall consider the appeal regardless of form, and the Authority staff shall, if necessary, provide assistance to the claimant in preparing the written claim. When a claimant seeks review, Authority staff shall inform him/her that he/she has the right to be represented by an attorney at the claimant’s expense, to present his/her case by oral or documentary evidence, to submit rebuttal evidence, to conduct such cross-examination as may be required for a full and true disclosure of facts, and to seek judicial review once he/she has exhausted the administrative appeal.

(b) **Scope of Review.** The Arbitrator shall review and reconsider the initial determination of the claimant’s case in light of: (1) all material upon which the Authority based its original determination, including all applicable rules and regulations, except that no evidence shall be relied upon where a claimant has been improperly denied an opportunity to controvert the evidence or cross-examine the witness(es); (2) the reasons given by the claimant for requesting review and reconsideration of the claim; (3) any additional written or relevant documentary material submitted by the claimant; (4) any further information which the Arbitrator, in its discretion, obtains by request, investigation, or research, to ensure fair and full review of the claim.

(c) **Determination on Review.** The determination on review by the Arbitrator shall include, but is not limited to: (1) the Arbitrator’s decision on reconsideration of the claim; (2) the factual and legal basis upon which the decision rests, including any pertinent explanation or rationale; and (3) a statement to the claimant that administrative remedies have been exhausted and judicial review may be sought. The determination shall be in writing with a copy provided to the claimant. The Arbitrator’s decision shall be binding on the Authority.

(d) **Time Limits.** The Authority and/or arbitrator shall issue its determination on review as soon as possible but no later than six weeks from receipt of the last material submitted for consideration by the claimant or the date of the hearing, whichever is later. In the case of appeals dismissed for un-timeliness or for any other reason not based on the merits of the claim, the Authority shall furnish a written statement to the claimant stating the reason for the dismissal of the claim as soon as possible but not later than two weeks from receipt of the last material submitted by the claimant, or the date of the hearing, whichever is later.

Refusals to Waive Time Limitation

Whenever the Authority rejects a request by a claimant for a waiver of the time limits, the claimant may file a written request for reconsideration of this decision in accordance with the review procedure set forth herein, except that such written request for reconsideration shall be filed within 90 calendar days of the claimant's receipt of the Authority's determination.

Extension of Time Limits

The time limits specified in the stages of review may be extended for good cause by the Authority.

Recommendations by Third Party

Upon agreement between the claimant and the Authority, a mutually acceptable third party or parties may review the claim and make advisory recommendations thereon to the Authority for its final determination. In reviewing the claim and making recommendations to the Authority, the third party or parties shall be guided by the provisions of this Appeals/Grievance Procedure.

Review of Files by Claimant

Except to the extent the confidentiality of material is protected by law or its disclosure is prohibited by law, the Authority shall permit the claimant to inspect all files and records bearing upon his or her claim or the prosecution of the appellant's grievance.

If an appellant is improperly denied access to any relevant material bearing on his or her claim, such material may not be relied upon in reviewing the initial determination.

Effect of Determination on Other Persons

The principles established in all determinations by the Authority shall be considered as precedent for all eligible persons in similar situations regardless of whether or not a person has filed a written request for review. All written determinations shall be kept on file and available for public review.

Right to Counsel

Any aggrieved party has a right to representation by legal or other counsel at his or her expense at any and all stages of the proceedings set forth in this procedure.

Stay of Displacement Pending Review

If an appellant seeks to prevent displacement, the Authority shall not require the appellant to move until at least twenty (20) calendar days after the Authority has made a determination and the appellant has had an opportunity to seek judicial review. In all cases the Authority shall notify the appellant in writing, twenty (20) calendar days prior to the proposed new date of displacement.

Joint Appellants

Where more than one person is aggrieved by the failure of the Authority to refer them to comparable permanent or adequate temporary replacement housing, the appellants may join in filing a single written request for review. A determination shall be made by the Authority for each of the appellants.

Judicial Review

Nothing in this Appeals/Grievance Procedure shall in any way preclude, or limit a claimant or the Authority from seeking judicial review of a claim upon exhaustion of such administrative remedies as are available herein.

RELOCATION ASSISTANCE APPEAL FORM

INSTRUCTIONS: This is an appeal of a determination made by the Displacing Agency under the California Relocation Assistance Law (Government Code, Section 7260 et seq.) or Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC §§4601 et. seq.). Complete this document, explaining the nature of your complaint and reasons for this appeal below. Attach extra pages if needed. You will be notified of the date when your complaint will be considered.

| | | | |
|------------------|--|--------------|--|
| Claimant: | | Agency: | |
| Site Address: | | Project: | |
| Mailing Address: | | Consultant: | |
| Phone number: | | OPC case ID: | |

| | |
|--|--|
| Claimant Type: Residential Tenant | This appeal is based on: <input type="checkbox"/> Eligibility only <input type="checkbox"/> Amount of Payment only <input type="checkbox"/> Eligibility amount |
| Appeal Type: <input type="checkbox"/> Request for Further Written Information <input type="checkbox"/> Informal Oral Presentation <input type="checkbox"/> Formal Review and reconsideration | |
| Will you be present at the hearing?: <input type="checkbox"/> Yes <input type="checkbox"/> No | Will you be represented by counsel?: <input type="checkbox"/> Yes <input type="checkbox"/> No |

. . . . continued next page.

Claimant's Statement:

I certify that the information provided on this form is accurate and complete.

Claimant Signature

Date

G. WRITTEN COMMENTS AND RESPONSES TO MASTER RELOCATION PLAN

