

# COMPTON HIGH SCHOOL RECONSTRUCTION PROJECT DRAFT RELOCATION PLAN

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## INTRODUCTION

The construction of a new development in an urbanized setting often requires the acquisition of property and the relocation of homeowner, tenants, businesses and non-profits. This Relocation Plan set forth procedures to assure the fair, uniform and equitable treatment of persons displaced from their homes and businesses when development occurs. It identifies the administrative requirements for conducting relocation and sets forth relocation standards, occupancy standards, methods for obtaining replacement sites, payments available and other related provisions of relocation practice.

Compton Unified School District (the “District”) is a local government branch located in the south-central region of Los Angeles County. The District encompasses the city of Compton and portions of the cities of Athens, Carson, Dominguez, East Compton, Long Beach, Lynwood, Paramount, West Compton, Willowbrook and Los Angeles. The District currently serves nearly 26,000 students at 36 sites and is in the midst of a dramatic turnaround, marked by increases in student achievement rates, a graduation rate nearing 90%, dramatic facilities improvements, and a focus on STEAM throughout all schools. The mission of the District is to empower leaders to lead teachers to teach and students to learn by fostering an environment that encourages leaders and teachers to be visionary, innovative and accountable for the achievement of all students.

The District is proposing to reconstruct the Compton High School (“CHS”) campus, which would consist of; (1) the demolition of all existing buildings, facilities and athletic fields; (2) the construction of new modern buildings, facilities, and athletic fields with a design that supports a free-flowing campus; and (3) relocation of the District’s Facilities Department and Pupil Services, Enrollment Center, and Special Education offices.

The proposed CHS Reconstruction Project (“Project”) is located on an approximately 42-acre site within the City of Compton, consisting of the existing CHS campus, other District facilities, and acquisition area (“Project Site”). The District is considering the acquisition, demolition and relocation of site occupants at four (4) parcels: 301 W Alondra Boulevard, 305 W Alondra Boulevard, 309 W Alondra Boulevard and 313 W Alondra Boulevard, Compton, CA 90220. The needs and characteristics of the displacee population, available relocation resources and District’s program to provide assistance to each affected person are general subjects of this Relocation Plan (the “Plan”).

On November 3, 2015, voters passed Measure S, pursuant to Proposition 39, authorizing the District to issue up to \$350,000,000 in general obligation Bonds.

The District would use funds available from Measure S, as well as funds from its capital facilities program budget. This would include monies from State funding sources for school construction. The State Allocation Board (SAB) is responsible for determining the allocation of State resources, including proceeds from General Obligation Bonds and other designated State Funds used for new construction and modernization of public-school facilities. In addition, the District has received gifts from private sources to assist in the construction of the CHS performing arts center. Lastly, the District will seek other state funding for remaining shortfalls in construction funding.

Based on the list of funding sources, the Plan conforms to the requirements of the California Relocation Assistance Law, Government Code Sections 7260, et seq. (“CRAL”), the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development and Title 25, California Code of Regulations Sections 6000, et seq. (the “Guidelines”).

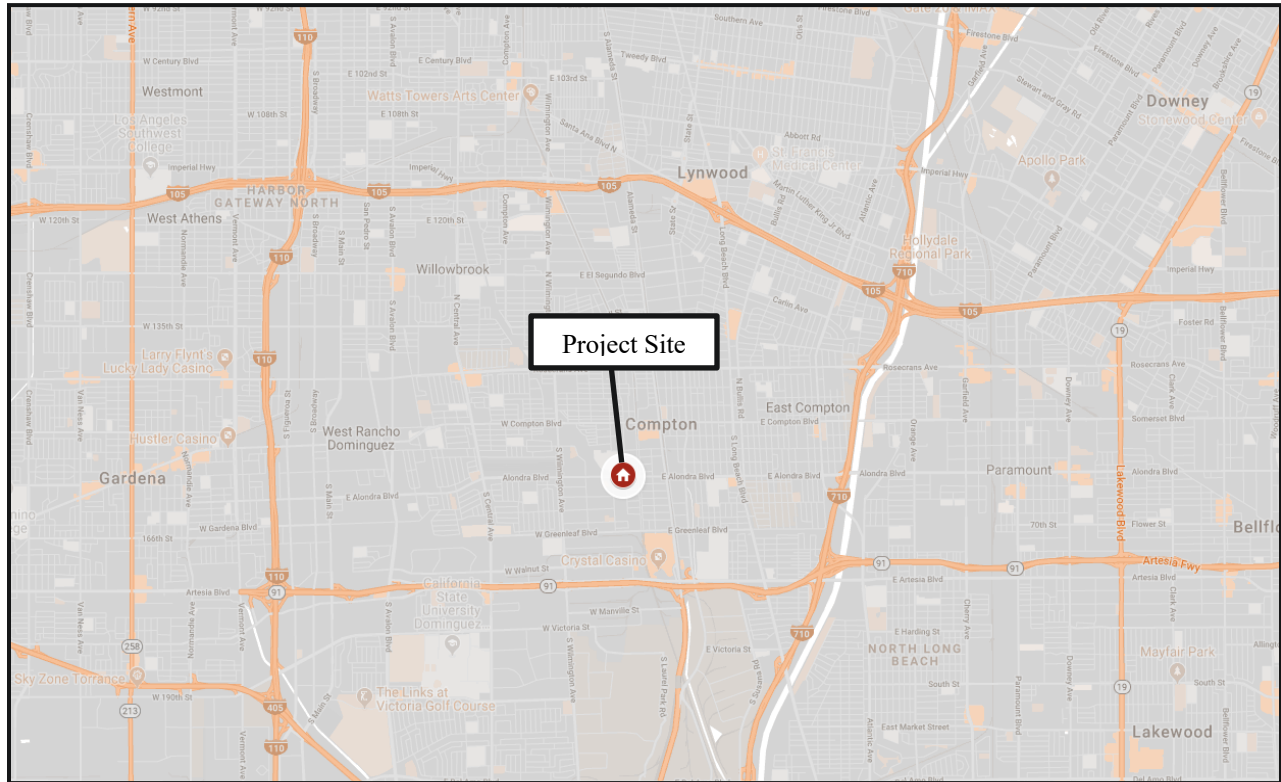
The Plan is organized in five sections:

1. Project description (SECTION I);
2. Assessment of the relocation needs of persons subject to displacement (SECTION II);
3. Assessment of available replacement housing units within the City of Compton and surrounding communities (SECTION III);
4. Description of the District’s relocation program (SECTION IV);
5. Description of the District’s outreach efforts, Project timeline and budget (SECTION V).

## I. PROJECT DESCRIPTION

### A. Regional Location

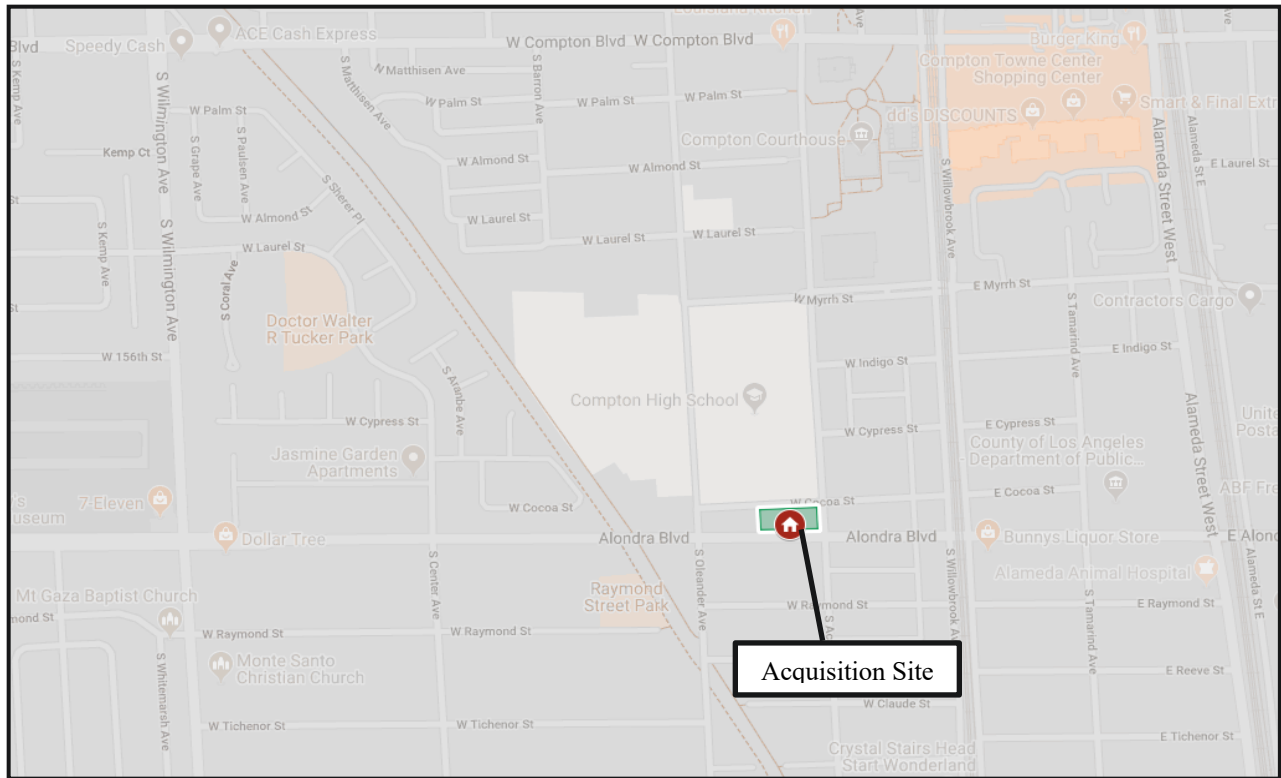
The Project is located in the City of Compton within Los Angeles County. Compton is located approximately 15 miles south of Downtown Los Angeles and is easily accessible by Interstate 105, Interstate 110, Interstate 710 and State Route 91. Adjacent communities include Lynwood, Rancho Dominguez and Paramount. (*See Figure 1: Regional Project Location*)



**Figure 1: Regional Project Location**

## B. Project Site Location and Description

The required acquisition site for the Project, is bound by Alondra Boulevard to South, Oleander Avenue to the West and S. Acacia Avenue to the East and Cocoa St. to the North. Alondra Boulevard is an East-West thoroughfare used by commuters on a daily basis. (*See Figure 2: Project Site Location*) The Project site is approximately 27,000 square feet. The Project site would potentially consist of 4 parcels that may require acquisition. There is a total of 16 residential units on these parcels that may require permanent relocation.



**Figure 2: Project Site Location**

## C. General Demographic and Housing Characteristics

According to the 2010 U.S. Census, the population of the City of Compton is 96,455 (see **Table 1**). Corresponding Census data concerning the housing mix is shown in **Table 2**.

**Table 1: 2010 Census Population - City of Compton**

Population	Total	%
Total Population	96,455	100
White	24,942	25.9
Black or African American	31,688	32.9
American Indian or Alaska Native	655	0.7
Asian	292	0.3
Native Hawaiian or Other Pacific Islander	718	0.7
Some Other Race	34,914	36.2
Two or More Races	3,246	3.4
Hispanic or Latino (of Any Race)	62,669	65.0

Source: U.S. Census Bureau, Race, Hispanic or Latino, and Age: 2010

Table 2: 2010 Census Housing Units - City of Compton

Type	Total	%
Total Units	24,523	100
Owner-Occupied	12,726	55.2
Renter-Occupied	10,336	44.8
Vacant Housing Units	1,461	6
Available for Sale Only (of Total Vacant Units)	386	1.6
Available for Rent - Full Time Occupancy (of Total Vacant Units)	646	2.6
Sold or Rented - Not Occupied	84	0.3
Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)	22	0.1
Other Vacant	323	1.3

Source: U.S. Census Bureau, General Housing Characteristics: 2010

## II. ASSESSMENT OF RELOCATION NEEDS

### A. Survey Method

To obtain necessary information for the preparation of this Plan, field research of potentially affected residential tenants was conducted. The research includes, but not limited to, in-person interviews and field analysis of affected residential parcels to identify displaced occupants and gather preliminary information for relocation planning. As of the writing of this draft Plan, no personal interviews with site occupants have been conducted; however, personal interviews with the residents to be permanently displaced will be conducted at a time prior to displacement. The data in this section of the Plan is based solely on the information provided by the third parties.

### B. Field Survey Data

#### 1. Current Residential Occupants

There are 16 residential households to be relocated for the project. Although interviews have yet to be conducted, based on specific data received for 4 of the households, there are 8 adults and 10 children (17 years or younger) residing on-site that will require permanent displacement.

All project occupants reside in multi-family residences ("MFR"). All 16 residents reside in a one-bedroom, one-bathroom MFR. The commonly accepted standard for housing occupancy standards allows; two persons per bedroom and one person in the common living area. Based

on this criterion and available tenant data, there are overcrowded units among the tenant-occupied households. These overcrowded units will receive appropriate comparable housing based on their household size and needs.

## 2. Replacement Housing Needs

Replacement housing needs, as expressed in this plan, are defined by the total number of required replacement units and distribution of those units by bedroom size. The projected number of required units by bedroom size is calculated by comparing survey data for household size with typical replacement housing occupancy standards. These standards, generally, allow for up to three persons in a one-bedroom unit, five persons in two-bedroom units, etc.

Replacement units required for the Project occupants include: eight one-bedroom MFR for rent and eight two-bedroom MFRs for rent.

## 3. Income

Income information was not provided by any of the 16 tenant households. Therefore, the income level for the households are unknown.

Table 3 below indicates current income ranges per household size. It will be used to determine low income status for displaced households. Incomes affects the relocation assistance payment calculation.

Once interviews are conducted and proof of income received, relocation benefits can be calculated and adjusted.

**Table 3: FY 2018 Income Limit Area - Los Angeles County**

Income Limit Category	1	2	3	4	5	6	7	8
Very Low (50%) Income Limit (\$)	33,950	38,800	43,650	48,450	52,350	56,250	60,100	64,000
Extremely Low Income Limit (\$)	20,350	23,250	26,150	29,050	31,400	33,740	38,060	42,380
Low (80%) Income Limit (\$)	54,250	62,000	69,750	77,500	83,700	89,900	96,100	102,300

## 4. Ethnicity/Language

Based on limited information and field analysis of the 16 households, there is a preliminary conclusion that the majority of the affected site occupants are Latino. Based on the City of

Compton demographics and research, Spanish maybe the primary language spoken in the household.

### *5. Senior/Handicapped Households*

There is an unknown number of households with senior members (62 years or older) in the Project. If any households are later identified to have members with physical disabilities, elderly or frail or having special needs, a replacement unit will be identified that meets the needs of such household.

### *6. Preferred Relocation Areas*

Based on DRA's experience and due to limited information about the households, most family preferences are to remain near the Project area or in surrounding areas. Historically, the reasons for locational preference is to maintain current access to employment, schools, religious organizations, family, shopping and medical facilities.

### *7. Current Nonresidential (Business) Owner*

There are potentially 4 property owner landlords that may qualify for relocation assistance as displaced businesses. Businesses that provide rental units to others may only qualify for actual, reasonable and necessary moving and related expenses as relocation assistance benefits. These benefits will be discussed further in Section IV, F of this Plan.

## III. RELOCATION RESOURCES

### A. Methodology

For residential housing, a resource survey was initially conducted to identify available units for rent within a five-mile radius of the Project site and then expanding throughout Compton and adjacent cities. The following sources were utilized:

- Internet sources for rental opportunities (Westside Rentals, Craigslist, Hotpads.com, etc.);
- Contacts with property management companies serving the community, and;
- Classified rental listings from local newspapers and *For Rent* publication.

## B. Replacement Housing Availability

### 1. Residential Rental Housing

The rental replacement housing survey considered units for rent in Compton and surrounding communities. The data is summarized in **Table 4** below. The individual figures for number of units found by bedroom size are presented in the table alongside the number of units needed (shown in parentheses) to meet the re-housing needs.

**Table 4: Summary of Available Rental Units**

Bedroom Size	One	Two
# Found (# Needed)	32 (8)	24 (8)
Rent Range	\$995 - \$2,241	\$1,450 - \$2,300
Median Rent	\$1,400	\$1,695

The median rent amount shown in the table is among the figures used to compute estimated benefit and budget projections for the Plan. This amount is, naturally, subject to change according to the market rates prevailing at the time of displacement.

### 2. Summary

Considering the above described availability of replacement housing resources gathered in March and April of 2019, it appears that there are more than adequate replacement resources available for the residential occupants. It is understood that the units identified in the Plan may not be available at the time of displacement, however the study is used as a sample to project on-going housing availability. But, while adequate replacement resources exist, based on survey results of rental opportunities and the tenant's current rent, the tenant occupants will likely have an increase in monthly rent. Possible increases, if any, will be met through the District's obligation under the relocation regulations, including Last Resort Housing (LRH) requirements. (See Section IV, E).

## C. Non-Residential Site Availability

### 1. Property Availability

The owners of the four (4) parcels which maybe acquired by the District would be eligible for relocation benefits under CRAL as a business displacee. A replacement property study was performed to determine available rental property for purchase in the City of Compton and the surrounding neighborhoods. The research was conducted through multiple listing services ("MLS"). **Table 5** below summarizes the availability of various types of properties for sale.

**Table 5: Summary of Available Rental Units**

Property Use/Type	Total Available	Cities of Availability	Price Range (sale)
Rental Property	11	Compton, Long Beach, Lakewood, Lynwood, South Gate	\$750,000 - \$1,750,000
Land	0	N/A	N/A

## 2. Summary

The data for non-residential resources indicate adequate sites that are currently available for sale to the owners of the affected parcels. But, while adequate replacement resources exist, there is no guarantee the sites will be available at the time of displacement; therefore, this result is to show there are available units that will comply with relocation guidelines and regulations.

## D. Related Issues

### 1. Concurrent Residential Displacement

At this time, there do not appear to be other current public projects causing significant displacement underway in the City of Compton or adjacent communities which would compete with the Project for needed housing resources. No residential displacee will be required to move without both adequate notice and access to available affordable, decent, safe and sanitary housing.

### 2. Temporary Relocation

The Project is not anticipated to cause temporary displacements. Affected occupants will be permanently displaced.

## IV. THE RELOCATION PROGRAM

The District's Relocation Program is designed to minimize hardship, be responsive to unique project circumstances, provide advisory services, maintain personal contact with all affected individuals, consistently applying all regulatory criteria to formulate eligibility and benefit determinations, and conform to all applicable requirements.

Orbach Huff Suarez & Henderson LLP, on behalf of the District, has retained Del Richardson & Associates, Inc. ("DRA") to administer the Relocation Program. DRA has been in the relocation business for over 30 years and has worked on more than 3,000 acquisition and

relocation projects. DRA's staff are culturally sensitive, compassionate and diverse veteran relocation agents, with continuing education in regulatory requirements.

The Relocation Program consists of three principal essentials: Program Assurances (standards & objectives), Advisory Assistance and Financial Assistance.

## A. Program Assurances, Standards and Objectives

The District will provide the displaced residential households with the assistance, rights, and benefits required under state relocation law. The Relocation Program will provide advisory and financial assistance. Every effort will be made to facilitate relocation arrangements and minimize hardship for displacees.

The program objectives will be as follow:

1. To fully inform eligible Project displacees of the nature of, and procedures for, obtaining relocation assistance and benefits;
2. To determine the needs of each displacee eligible for assistance;
3. To provide continuously updated referrals to potential replacement sites within a reasonable time prior to displacement and assure that no occupant is required to move without a minimum of 90 days written notice to vacate;
4. To provide assistance that does not result in different separate treatment due to race, color, religion, national origin, sex, marital status or other arbitrary circumstances;
5. To supply information concerning federal and state programs and other governmental programs providing assistance to displaced persons;
6. To assist each eligible occupant to complete applications for benefits;
7. To make relocation benefit payments in accordance with the appropriate guidelines;
8. To inform all persons subject to displacement of the District policies with regard to eviction and property management; and
9. To establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the District decisions with respect to relocation assistance.

## B. Relocation Advisory Assistance

DRA staff is available to assist the permanently displaced residents with questions or concerns about relocation and/or assistance in relocating. Relocation staff is located at 510 S. La Brea Avenue, Inglewood, CA 90037, with office hours from 8:00 a.m. to 5:00 p.m., and can be contacted at (310) 645-3729. A comprehensive relocation program, with technical and advisory assistance, will be provided to assist all persons being displaced as a consequence of the Project. Personal contact will be maintained with all individuals until the relocation process has been completed.

As discussed previously, DRA has been retained by OHSB on behalf of the District to assist in the administration of its relocation program. DRA will work closely with OHSB's staff. OHSB staff will provide final approvals, or otherwise, of all DRA recommendations. Every reasonable effort will be made to ensure that the relocation of residents occurs with a minimum of delay and hardship.

The following services will be provided:

1. A printed Informational Brochure (**Exhibit B**) will be provided as requested in English and Spanish, and any additional language required by the displacee, subsequently deemed necessary. Signed acknowledgements will be obtained to verify receipt of this material;
2. A database will be maintained of available residential units and referrals will be distributed to each household for the duration of the Project;
3. Assistance will be offered to displacees in connection with arrangements for the purchase of real property, if applicable, obtaining required social services, the filing of claim forms to request relocation benefits from the District and to obtain services from other public agencies;
4. Eligible displacees will be assisted with the preparation and submission of relocation assistance claims;
5. Benefit determinations and payments will be made in accordance with applicable law;
6. Assure that displacees are not required to move without a minimum of 90 days written notice to vacate;
7. All person subject to displacement will be informed of the District policies with regard to eviction and property management;
8. A formal grievance procedure will be established and maintained for use by displaced persons seeking administrative review of the District's decision with respect to relocation assistance; and
9. Assistance will be provided that does not result in different or separate treatment due to race, color, religion, national origin, sex, marital status or other arbitrary circumstances.

## C. Relocation Benefits – Residential Tenants

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacees. In the course of personal interviews and follow-up visits, each displacee will be counseled as the available options and the consequences of any choice with respect to financial assistance.

Relocation benefits will be paid to eligible displacees upon submission of required claim forms and documentation in accordance with the District's administrative procedures. The District may process advance payment requests to mitigate hardship for residential occupants who do not have access to sufficient funds to initially secure replacement housing such as paying first

month's rent and security deposit. Approved requests will be processed expeditiously to help avoid the loss of desirable appropriate replacement housing.

### ***1. Residential Moving Expense Payment***

All residential occupants to be relocated will be eligible to receive a payment for moving expenses. Moving expense payments will be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

#### **1. Actual Cost (Professional Move)**

The displacee may elect to retain the services of a licensed professional mover, in which case the District will pay the actual cost of moving services, based on the lower of two (2) acceptable bids. (the District may, at its discretion, solicit competitive bids to determine the lowest, reasonable move cost.) After the move is complete, the displacee may request a direct payment from the District to the mover.

#### **2. Fixed Payment (based on Room Count Schedule)**

The displacee may, while taking full responsibility for the move, elect to receive a fixed payment for moving expenses based on a room count in the displacement dwelling. The fixed payment is a one-time, all-inclusive allowance that does not require back-up documentation. The current schedule for fixed payment is set forth in **Table 6**:

**Table 6: Schedule of Fixed Moving Payments**

<b>Unfurnished Dwelling</b>									
Room Count	1	2	3	4	5	6	7	8	Each additional
Amount	\$725	\$930	\$1,165	\$1,375	\$1,665	\$1,925	\$2,215	\$2,505	\$265
<b>Furnished Dwelling</b>									
Room Count	1	Each additional							
Amount	\$475	\$90							

### ***2. Rental Assistance to Tenants Who Choose to Rent***

A tenant displaced from a dwelling may be entitled to a Replacement Housing Payment in the form of rental or downpayment assistance not-to-exceed \$7,200 (prior to consideration of eligibility for Last Resort Housing benefits - see Last Resort Housing, Section IV, E), if the displacee:

1. Has actually and lawfully occupied the displacement dwelling for at least 90 days immediately prior to the initiation of negotiations; and
2. Has rented, or purchased, and occupied a decent, safe, and sanitary replacement dwelling within one year (unless the Agency extends this period for good cause) after the date he or she moves from the displacement dwelling.

Rental Assistance payment amounts are equal to 42 times the difference between the base monthly rent and the lesser of:

- i. The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or
- ii. The monthly rent and estimated average monthly cost of utilities for the decent, safe and sanitary replacement dwelling actually occupied by displaced person.

The base monthly rent for the displacement dwelling is the lesser of:

- i. The average monthly cost for rent and utilities at the displacement dwelling 90 days prior to the offer on the property. For owner-occupants or households, which pay no rent, Fair Market Rent will be used as a substitute for actual rent; or
- ii. Thirty percent (30%) of the displaced person's average, monthly, adjusted gross household income. If a displacee refuses to provide appropriate evidence of income or is a dependent, the base monthly rent shall be determined to be the average monthly cost for rent and utilities at the displacement dwelling; or
- iii. The total of the amount designated for shelter and utilities if receiving welfare assistance payment from a program that designated the amounts for shelter and utilities.

**NOTE:** At the time of the draft of the Plan, the District did not have information on three of the four properties in regard to rent and income. Therefore, the base monthly rent for budget calculation will be based on a Fair Market Rent.

**Table 7: Computation Sample of Rental Assistance Payments (Tenants)**

1. Old Rent	\$650	Old Rent, plus Utility Allowance
<b>or</b>		
2. Ability to Pay	\$700	30% of the Adjusted Gross Household Income*
3. Lesser of lines 1 or 2	\$650	Base Monthly Rental
<b>Subtract From:</b>		
4. Actual New Rent	\$750	Actual New Rent including Utility Allowance
<b>or</b>		
5. Comparable Rent	\$775	Determined by Agency, including Utility Allowance
6. Lesser of line 4 or 5	\$750	
7. Yields Monthly Need	\$100	Subtract line 3 from line 6
<b>8. Rental Assistance Payment</b>	<b>\$4,200</b>	<b>Multiply line 7 by 42 months</b>

\*Gross income means the total amount of annual income of a household less the following: (1) a deduction for each dependent in excess of three; (2) a deduction of 10% of total income for the elderly or disables head of household; (3) a deduction for recurring extraordinary medical expenses defined for this purpose to mean medical expenses in excess of 3% of total income, where not compensated for, or covered by insurance or other sources; (4) a deduction of reasonable amounts paid for the care of children or sick or incapacitate family members when determined to be necessary to employment of head of household or spouse, except that the amount shall not exceed the amount of income received by the person who would not otherwise be able to seek employment in the absence of such care.

### **3. Downpayment Assistance to Tenants Who Choose to Purchase**

Displacees otherwise eligible to receive a Rental Assistance payment as previously described, may choose to utilize the full amount of their rental assistance eligibility amount (including Last Resort benefit) to purchase a home. Such payments shall be deposited directly into an escrow account with provisions that allow the District to recover its funds should the escrow be cancelled or not proceed in a timely manner. These funds can be used as a downpayment and/or to pay for eligible non-recurring closing cost.

### **4. Payment to Non-Tenured Residential Tenants**

A residential tenant who has actually and lawfully occupied the displacement dwelling for less than 90 days immediately prior to the initiation of negotiations is entitled to receive a moving expense payment. Additionally, non-tenured residential tenants may qualify for a rental assistance payment under the provisions of Last Resort Housing assistance (see Last Resort Housing, Section IV, E). Such assistance is authorized when comparable replacement housing is not available at rental rates within the tenant's financial means (30% of gross monthly household income). Last Resort Housing assistance to non-tenured household is based solely on income.

## D. Determination of Comparable Housing

Relocation staff will evaluate the cost of comparable replacement housing in the preparation of each individual Notice of Eligibility issued to residential displacees. For residential tenant occupants, the cost of comparable replacement housing will be determined by the comparable, decent, safe and sanitary housing of appropriate size for the household.

## E. Last Resort Housing

Specifically, for renter, when the computed replacement housing assistance eligibility exceeds \$7,200 or replacement dwelling monthly rental costs (including utilities and other reasonable recurring expenses) exceeds 30% of the person's average monthly income. Last Resort Housing will have to be provided.

Therefore, if the Project is to go forward, the District will authorize its funds or funds authorized for the Project to provide housing of last resort. Funds will be used to make payments in excess of the monetary limit specified in the statute (\$7,200); hence, satisfying the requirement that "comparable replacement housing" is available.

A displaced tenant household will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed replacement housing assistance eligibility exceeds \$7,200 or replacement dwelling monthly rental costs (including utilities and other reasonable recurring expenses) exceed 30% of the person's average monthly income (financial means) or when a tenant fails to meet the 90-day occupancy requirement and comparable replacement rental housing is not available within the displaced person's financial means. Calculations of Last Resort rental assistance benefits for tenants who fail to meet the 90-day occupancy requirement will be based solely on household income. Non 90-day qualifiers must meet basic eligibility requirements applied to all other displacees.

Based on the limited data derived from the analysis of the occupants in the Project area and costs of replacement housing resources, it is anticipated that "comparable replacement housing" (replacement cost) will not be available for some owner as required.

The District may pay Last Resort Housing payments in installments or a lump sum. Recipients of Last Resort rental assistance, who intend to purchase rather than re-rent replacement housing, will have the right to request a lump sum payment of all benefits in the form of down payment assistance.

## F. Relocation Benefits – Nonresidential, Businesses and Non-Profit Organizations

Eligible business owners of rental properties have the option to receive compensation for actual, reasonable and necessary moving and related expenses as relocation assistance benefits.

### *1. Payment for Actual Reasonable and Necessary Moving and Related Expenses*

Any lawful business that qualifies as a displaced person is entitled to payment for such actual moving expenses, as the District determines to be reasonable and necessary, including expenses for:

1. Transportation of persons and property from the present location to the replacement location (transportation costs for a distance beyond 50 miles are not eligible, unless the District determines that relocation beyond 50 miles is justified);
2. Packing, crating, uncrating, and unpacking personal property;
3. Disconnecting, dismantling, removing, reassembling, and installing relocated and substitute machinery, equipment and other personal property. Includes connection to utilities available nearby and modifications necessary to adapt such property to the replacement structure or to the utilities or to adapt the utilities to the personal property;
4. Storage of personal property for a period not to exceed 12 months, unless the District determines that a longer period is necessary;
5. Insurance of personal property while in storage or transit and the replacement value of property lost, stolen, or damaged (not through the fault or negligence of the displaced person) in the process of moving, where insurance is not readily available;
6. Any license, permit, or certification required by the displaced business, to the extent that the cost is necessary for reestablishment at the replacement location. (These costs may be pro-rated based on the remaining useful life of any existing license, permit or certification);
7. Reasonable and pre-authorized professional services, including architects', attorneys', engineers' fees, and consultants' charges, necessary for: (1) planning the move of the personal property; (2) moving the personal property; or, (3) installing the relocated personal property at the replacement location;
8. The purchase and installation of substitute personal property limited to the lesser of: (1) an amount equal to the reasonable expenses that will have been required to relocate the property, as determined by the District, subject to certain limitations, or, (2) the replacement cost, less any proceeds from its sale or trade in;

9. The modification of machinery, equipment or other personal property necessary to adapt these to the replacement location or to utilities available at the replacement location;
10. Re-lettering signs and replacing stationary on hand at the time of displacement that are made obsolete as a result of the move;
11. Actual direct losses of tangible personal property resulting from moving or discontinuing a business or non-profit organization, not-to-exceed the lesser of: (1) the fair market value of the property for continued use at its location prior to displacement less any proceeds from sale of the property; or, (2) an amount equal to the reasonable expenses that will have been required to relocate the property, as determined by the District, subject to certain limitations;
12. Actual and reasonable expenses incurred in searching for a replacement business or non-profit organization location, not-to-exceed \$1,000.00, and including compensation for transportation expenses; time spent searching for a reasonable location, meals, and lodging; real estate broker or agent fees; time spent in obtaining permits and attending zoning hearings; and time spent negotiating the purchase of a replacement site;
13. Low Value/High Bulk: when the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the District, the allowable moving cost payment shall not exceed the lesser of: (1) the amount which would be received if the property were sold at the site or (2) the replacement cost of a comparable quantity delivered to the new business location. Examples of personal property covered by this provision include, but are not limited to, stockpiled sand, gravel, minerals, metals and other similar items of personal property as determined by the District;
14. A Reestablishment allowance of up to \$10,000, available to farms, non-profit organizations and small businesses with no more than 500 employees. Reestablishment allowance payments are made in addition to compensation provided for actual, reasonable and necessary moving expenses. Reestablishment allowance expense categories include but are not limited to:
  - a. Repairs or improvements to the comparable replacement as required by Federal, State or local law, code or ordinance;
  - b. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting business;
  - c. Provision of utilities from right-of-way to improvements on the replacement site;

- d. Construction and installation costs for exterior signing to advertise the business;
- e. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint paneling or carpeting;
- f. Advertisement of replacement location;
- g. Estimated increased costs of operation during the first two years at the replacement site for such items as:
  - i. Lease or rental charges
  - ii. Personal or real property taxes
  - iii. Insurance premiums, and
  - iv. Utility charges, excluding impact fees
- h. Other items essential to the reestablishment of the business

## 2. Self-Moves

If the displaced business elects to take full responsibility for the move of the business, the District will make a payment for the business's moving expenses in an amount not to exceed the lower of two acceptable bids or estimates submitted to the District. At the District's discretion, a payment for a low cost or uncomplicated move may be based on a single bid or estimate.

## G. General Information Regarding the Payment of Relocation Benefits

Claims and supporting documentation for relocation benefits must be filed with the District no later than 18 months after:

- For tenants, the date of displacement; or
- For owners, the date of displacement or the date on which final payment for the acquisition of real property is made, whichever is later.

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

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance;

2. Relocation staff will review all necessary documentation including, but not limited to, tax statements, lease documents, bids for service, scopes-of-services and cost of goods associated with the move, replacement site lease, etc. before reaching a determination as to which expenses are eligible for compensation;
3. Required claims forms will be prepared by relocation staff and presented to the claimant for review. Signed claims and supporting documentation will be returned to relocation staff and submitted to the District;
4. The District will review and approve claims for payment, or request additional information;
5. The District will issue benefit checks to claimants in the most secure, expeditious manner possible;
6. Final payments to displacees will be issued after confirmation that the premises from which business have been displaced have been completely vacated and if requesting a business reestablishment payment that the business has secured and is occupying a replacement site;
7. The Claimant must review and sign all claim forms and acknowledge receipt of all payments; and
8. Receipts of payment and all claims materials will be maintained in the relocation case files for each business displaced.

## H. Relocation Tax Consequences

In general, relocation benefits payments are not considered income for the purpose of Division 2 of the Internal Revenue Code of 1954, which has been predesignated as the Internal Revenue Code of 1986 (Title 26, U.S. Code), or for the purpose of determining the eligibility or extent of eligibility of any person for assistance under the Social Security Act (42 U.S. Code 301 et seq.) or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part II (commencing with Section 23001) of Division 2 of Revenue and Taxation Code. The above statement on tax consequences is not intended as tax advice or legal advice by the District, OHSB, or DRA. Displacees are responsible for consulting with their own tax advisors and legal consultants concerning the tax consequences of relocation payments.

## V. ADMINISTRATIVE PROVISIONS

### A. Notices

Each notice that the District is required to provide to a Project occupant shall be personally delivered or sent certified or registered first-class mail, return receipt requested and documented in the case file. Each notice will be written in plain, understandable language. Persons who are unable to read and understand any notice would be provided with appropriate translation and counseling. Each notice will indicate the name and telephone number of a person who may be contacted for answers to questions and other needed help.

There are three principal notices:

1. General Information Notice (GIN),
2. Notice of Relocation Eligibility (NOE), and
3. 90-day Informational or Vacate Notice

The GIN is intended to provide potential displacees with a general written description of the District's Relocation Program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights.

A Notice of Relocation Eligibility (NOE) will be distributed to each residential and nonresidential displacee. The NOE that will be issued to both residents and business owners acknowledges the recipient's eligibility for assistance and right to make claims for relocation assistance benefits.

No lawful occupant would be required to move without having received at least 90 days' advance written notice of the earliest date by which the move would be necessary. The 90-Day Vacate Notice would either state a specific date as the earliest date by which the occupant may be required to move, or state that the occupant would receive a further notice indicating, at least 60 days in advance, the specific date of the required move. For residential displacees, the 90-Day Notice will not be issued before a comparable replacement dwelling has been made available.

In addition to the three principal notices, relocation staff will issue timely written notification in the form of a Reminder Notice, which discusses the possible loss of rights and sets the expiration date for the loss of benefits to those persons who:

1. Are eligible for monetary benefits,
2. Have moved from the acquired property, and
3. Have not filed a claim for benefits.

Reminder Notices will be issued periodically throughout the qualification period. An attempt shall be made to make written contact with all non-responsive displacees no later than within the last six months prior to the filing expiration date.

## B. Privacy of Records

All information obtained from displacees is considered confidential and will not be shared without consent of the displacee or the District. Relocation staff will comply with federal and state regulations concerning safeguarding of relocation files and their contents.

## C. Grievance Procedures

A person who is dissatisfied with a determination as to eligibility for benefits, a payment amount, or the District's property management practices may file a Relocation Assistance Appeal Form or any other written form of appeal with the District.

The District's appeal policies 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 Program guidelines. Specific details for the District's appeals policy will be furnished upon request.

Additionally, the displacee does not have to exhaust administrative remedies first; the appeal/grievance can either go directly to the Compton Unified School District, directly to the State of California's Department of Housing and Community Development (HCD) or directly to the Court.

Any person and/or organization directly affected by the relocation plan and relocation benefits may petition the Department of Housing and Community Development (HCD), located at 2020 West El Camino Ave., Sacramento, CA 95833, to review the relocation plan and relocation benefits.

## D. Eviction Policy

Eviction for cause must conform to applicable state and local law. Any person, who occupies the real property and is in lawful occupancy on the date of the initiation of negotiations ("ION"), is presumed to be entitled to relocation payments and other assistance, unless the District determines that:

1. The person received an eviction notice prior to the ION and as a result of that notice is later evicted, or

2. The person is evicted after the ION for serious or repeated violation of material term(s) of the lease or occupancy agreement, and
3. In either case, the eviction was not undertaken for the purpose of evading the obligation to make available the payments or other assistance to which a person may otherwise be entitled.

## E. Citizen Participation

As the process for considering the Project moves forward, the District will observe the following protocol:

1. Provide affected occupants with full and timely access to documents relevant to the Relocation Program;
2. Encourage meaningful participation in reviewing the Relocation Plan and monitoring the Relocation Program;
3. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;
4. Issue a general notice concerning the availability of the Relocation Plan for public review, as required, 30 days prior to consideration and action by the legislative body to approve (or disapprove) such Relocation Plan;
5. Include written or oral comments concerning the Relocation Plan as an attachment (**Exhibit C**) when it is forwarded to the District's Board of Trustees for approval;
6. Schedule a community meeting to provide information on the proposed Project (if requested) to the surrounding neighborhood as well as a relocation-oriented meeting for the Project occupants; and
7. Have a one on one meeting with the affected residential and business tenants to review the Relocation Plan, upon request.

## F. Projected Date of Displacement

The District anticipates that displacement will occur the third/fourth quarter in 2019. No occupant will be required to vacate without a minimum of 90 days' notice. However, an occupant may choose to vacate voluntarily prior to a vacate notice being issued, once they have received their Notice of Eligibility and be assured they will receive any relocation assistance and benefits to which they may be entitled.

## G. Estimated Relocation Costs

The total Project budget estimated for relocation and related payments, including a 20% contingency, is as follows:

Relocation:	\$555,138.00
Contingency at 20%:	<u>\$111,028.00</u>
<b>Total:</b>	<b>\$666,166.00</b>

This relocation budget is based on the limited information received, which includes, but not limited to; current rent amounts, make of household, income and actual number of bedrooms needed as a replacement site, personal property belonging to the owners of the acquired parcels. Once interviews are conducted, the estimated relocation budget will be adjusted based on the need of all 16 households and owners of the 4 parcels.

The estimated relocation budget does not include any payments related to property acquisition. In addition, the budget does not consider the cost of any administrative services necessary to implement the Relocation Plan and complete the relocation element of the Project.

When the Project is implemented, and circumstances arise that should change either the number of displaced occupants, or the nature of their activity, the District will authorize any additional compensable funds that may need to be appropriated. the District pledges to appropriate, on a timely basis, the funds necessary to ensure the successful completion of this Relocation Plan and Relocation Program and to meet its obligation under the relocation regulations.

## **EXHIBIT A**

### **SAMPLE NOTICES**

## GENERAL INFORMATION NOTICE - RESIDENTIAL

Dear:

The \_\_\_\_\_ is acquiring the property you occupy at \_\_\_\_\_ for the future construction of a project. Among other funding sources, this project may receive funding assistance from the State.

The purpose of this notice is to inform you that you may be displaced as a result of the proposed project. This notice also serves to inform you of your potential rights as a displaced person under State regulations. If the financial assistance is provided and it is determined that you have been displaced for the project, you may be eligible for relocation assistance with accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("URA"), and/or the State of California Relocation Assistance and Real Property Acquisition Guidelines (California Code of Regulations, Title 25).

This is not a notice to vacate the premises.

This is not a notice of relocation eligibility.

If it is determined that you are eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to find another place to live; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving expenses; and 4) Replacement housing payments to enable you to rent, or if you prefer to purchase, a comparable replacement home. You will also have the right to appeal the determination, if you feel that your application for assistance was not properly considered. The enclosed brochure, "Relocation Assistance to Tenants Displaced from Their Homes" provides an explanation of this assistance and other helpful information.

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility, you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

**Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time.** If it is determined that you will be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event that the proposed project does not proceed or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions regarding this notice or the proposed project, please contact \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_.

Sincerely,

Date

**GENERAL INFORMATION NOTICE – BUSINESS**

Name

Dear:

The \_\_\_\_\_ is acquiring the property you occupy at \_\_\_\_\_ for the future construction of a project. Among other funding sources, this project may receive funding assistance from the State.

The purpose of this notice is to inform you that you may be displaced as a result of the proposed project. This notice also serves to inform you of your potential rights as a displaced person under State regulations. If the financial assistance is provided and it is determined that you have been displaced for the project, you may be eligible for relocation assistance with accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (“URA”), and/or the State of California Relocation Assistance and Real Property Acquisition Guidelines (California Code of Regulations, Title 25).

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

**Business, Farms, and Nonprofit Organization.** If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to find you a replacement location; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving and reestablishment expenses. You also have the right to appeal the agency’s determination, if you feel that your application for assistance was not properly considered.

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility, you may not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time. If it is determined that you will be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event that the proposed project does not proceed or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions regarding this notice or the proposed project, please contact \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_.

Sincerely,

Date

Tenant Name

**NOTICE OF ELIGIBILITY AND ENTITLEMENT LETTER  
(RESIDENTIAL)**

Dear:

The property you occupy was acquired by \_\_\_\_\_ for the construction of \_\_\_\_\_ Project. As an eligible occupant of this property, you are entitled to receive the relocation assistance as outlined below. Since are being displaced in connection with this state funded project, you may be eligible for relocation assistance and payments under the State of California Relocation Assistance and Real Property Acquisition Guidelines (California Code of Regulations, Title 25) ("CRAL").

The effective date of this notice is \_\_\_\_\_.

You may be eligible for relocation assistance, as follows:

- Counseling and Other Advisory Services. This includes referrals to comparable and suitable replacement housing, the inspection of replacement housing to ensure that it meets established standards, help in preparing claim forms for relocation payments, counseling and other assistance to minimize the impact of the move.
- Payment for Moving Expenses. At the time you were displaced, you were provided benefits based upon a fixed moving schedule; however, these benefits were miscalculated. You may choose to have your benefits re-calculated according to either:
  1. A payment for your actual reasonable moving and related expenses from the displacement dwelling (up to 50 miles from your current residence), provided you can provide evidence of the costs of the actual move; or
  2. If you prefer a fixed moving expense and dislocation allowance of \$\_\_\_\_\_. This amount is based on the \_ rooms you occupied; or
- Replacement Housing Payment. You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors, including the cost of a "comparable replacement home," the monthly rent and average cost of utility services for your present home, and 30 percent of your average monthly household income, if your household is identified as low income.

Listed below are three "comparable replacement homes" that you may wish to consider:

- 1.
- 2.
- 3.

We would be pleased to provide you with transportation to inspect these dwelling units. We believe that the unit at \_\_\_\_\_ is the most representative of your present home. The rent including utility services for that unit is \$\_\_\_\_\_.

Based on the information that you provided, under CRAL you are eligible for a rental assistance payment up to \$\_\_\_\_\_. This calculation is based on the difference between the rent you are base monthly rent and comparable rent and utilities. ( $\$ \times 42 \text{ months}$ ) If you rent a replacement unit for less than the comparable unit stated in this notice, your payment may be reduced. This is the maximum amount that you would be eligible to receive and payment would be paid on an installment basis. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than \$\_\_\_\_\_ your rental assistance payment would be based on the actual cost of such unit.

Should you choose to buy (rather than rent) a decent, safe, and sanitary replacement home, you would be eligible for a down payment of \$\_\_\_\_\_.

If you wish to submit any additional documentation for your relocation file, please contact your relocation agent immediately.

You have a right to appeal this determination and have your case reviewed or reconsidered in accordance with the Agency's appeals procedures. Complete details on appeal are available from your relocation agent.

If you have any questions related to your relocation benefits, please contact your relocation agent, \_\_\_\_\_.

Sincerely,

RECEIPT ACKNOWLEDGEMENT:

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTICE OF ELIGIBILITY  
BUSINESS, FARM OR NONPROFIT ORGANIZATION**

Re:

Dear \_\_\_\_\_, et al:

The \_\_\_\_\_ is acquiring the property you occupy at \_\_\_\_\_ for the construction of \_\_\_\_\_ Project. To carry out the project, it will be necessary for you to move. You will be provided a 90-day written notice of the date by which you will be required to move.

As the eligible occupant of the property, you are protected under the California Relocation Assistance Law (CRAL). *It is vitally important that you understand the conditions described below which must be met before any payments can be made.*

As the occupant of the property, you are entitled to:

**1. RELOCATION ADVISORY ASSISTANCE:**

\_\_\_\_\_ will help you find a replacement location to conduct your business, farm or nonprofit operation. Information on and maps of available properties, typical real estate purchase and rental costs, and the services offered by other agencies in the area are also available. If you would like assistance, contact \_\_\_\_\_ relocation consultant.

**2. MOVING AND RELATED EXPENSES:**

Business, farms and nonprofit organizations may be paid on the basis of actual reasonable moving and related costs and reestablishment expenses as \_\_\_\_\_ determines to be reasonable and necessary or, under certain circumstances, a fixed payment. The following moving expenses may be considered by \_\_\_\_\_:

- A. Transportation of personal property limited to 50 miles or less. Distances beyond 50 miles are not eligible, unless \_\_\_\_\_ determines that relocation beyond 50 miles is justified.
- B. Packing, crating, unpacking, and uncrating of the personal property.
- C. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and certain substitute personal property. This includes connection to utilities available nearby. It also includes modifications to the personal property necessary to adapt it to the replacement site, including those mandated by Federal, State or local law, code or ordinance or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property.
- D. Connection to available utilities from the right-of-way to improvements at the replacement site.
- E. Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including, but not limited to, soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such a site). At \_\_\_\_\_ discretion, a reasonable hourly rate may be established.
- F. Storage of personal property for a period not to exceed 12 months, unless \_\_\_\_\_ determines that a longer period is necessary.

- G. Insurance for the replacement value of personal property in connection with the move and necessary storage.
- H. Any license, permit, or certification required for your operation at the replacement location. However, the payment shall be based on the remaining useful life of existing license(s), permit(s) or certification(s) of your business.
- I. The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of your own, your agent, or your employee) where insurance covering such loss, theft, or damage is not reasonably available
- J. Professional services as \_\_\_\_\_ determines to be actual, reasonable and necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing relocated personal property at the replacement location
- K. Relettering signs and replacing stationery on hand at the time of displacement that is made obsolete as a result of the move
- L. Actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business or farm operation. The payment shall consist of the lesser of:
  - 1) The fair market value in place of the item, as is for continued use, less the proceeds from its sale; or
  - 2) The estimated cost of moving the item as is, but not including any allowance for storage or for reconnecting a piece of equipment, if the equipment is in storage or not being used at the acquired site. In calculating payment under section, the reasonable cost incurred to sell shall be added to the determination of loss.
- M. Purchase of substitute personal property. If an item of personal property which is used as part of your operation is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, you will be entitled to payment for the lesser of:
  - 1.) The cost of the substitute item, including installation costs at the replacement site, less any proceeds from the sale or trade-in of the replaced items.
  - 2.) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by \_\_\_\_\_, but with no allowance for storage.
- N. Searching for a replacement location. You are entitled to reimbursement for actual expenses, not to exceed \$1,000, as \_\_\_\_\_ determines to be reasonable, which are incurred in searching for a replacement location including:
  - 1.) Transportation
  - 2.) Meals and lodging away from home
  - 3.) Time spent searching, based on reasonable salary or earnings
  - 4.) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site
  - 5) Time spent negotiating the purchase of a replacement site based on reasonable salary or earnings
  - 6) Time spent in obtaining permits and attending zoning hearings
- O. High bulk/low Value will allow a payment for personal property that is worth less than the cost to move it to the replacement property as determined by \_\_\_\_\_. The moving payment shall not exceed the amount which you would receive if the property were sold at the site.

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

- A. Provide \_\_\_\_\_ with a certified list or inventory of the items to be moved at least thirty (30) days in advance of the start of your move;

- B. Notify \_\_\_\_\_ at least fifteen (15) days in advance of the date of the start of your move or disposition of your personal property;
- C. Permit \_\_\_\_\_ to monitor the move; and
- D. Permit \_\_\_\_\_ to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

Failure to comply with any of the above four (4) requirements may result in your losing part or all of your benefits.

You should also be aware that you are not entitled to payment, under the relocation regulations, for:

- The cost of moving any structure or other real property improvement in which you reserved ownership;
- Interest on a loan to cover moving expenses;
- Loss of goodwill;
- Loss of profits;
- Loss of trained employees;
- Personal injury; or
- Costs for storage of personal property on real property owned or leased by the displaced person.

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

-AND-

### **3. REESTABLISHMENT EXPENSES:**

In addition to the payments available above, a small business, farm or nonprofit organization may be eligible to receive a payment, not to exceed \$10,000, for the expenses actually incurred in relocating and reestablishing at a replacement site.

Reestablishment expenses must be reasonable and necessary as determined by \_\_\_\_\_. They include, but are not limited to, the following:

- A. Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance
- B. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
- C. Construction and installation costs for exterior signing to advertise the business
- D. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting
- E. Advertisement of replacement location
- F. Provisions of utilities from right-of-way to improvements on the replacement site.
- G. Licenses, fees and permits when not paid as part of moving expenses.
- H. Feasibility surveys, soil testing and marketing studies.
- I. Professional services in connection with the purchase or lease of a replacement site.
- J. Impact fees or one-time assessments for anticipated heavy usage.

- K. Estimated increased costs of operation during the first two years at the replacement site for such items as:
- 1.) Lease or rental charges
  - 2.) Personal or real property taxes
  - 3.) Insurance premiums
  - 4.) Utility charges, excluding impact fees
- L. Other items that \_\_\_\_\_ considers essential to the reestablishment of the business.

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

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

-OR-

**4. FIXED PAYMENT IN LIEU OF PAYMENT FOR ACTUAL AND RELATED EXPENSES AND REESTABLISHMENT EXPENSES:**

In lieu of a payment for actual moving and related expenses and reestablishment expenses, you may elect to receive an amount equal to your business' recent average annual net earnings in an amount not less than \$1,000 or more than \$20,000. A displaced business is eligible for the payment if \_\_\_\_\_ determines that:

- A. The business owns or rents personal property which must be moved in connection with such displacement and for which an expense would be incurred in such move; and the business vacates or relocates from its displacement site
- B. The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A business is assumed to meet this test unless \_\_\_\_\_ determines that it will not suffer a substantial loss of its existing patronage.
- C. The business is not part of a commercial enterprise having more than three other entities which are not being acquired by \_\_\_\_\_, and which are under the same ownership and engaged in the same or similar business activities.
- D. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
- E. The business is not operated at the displacement site solely for the purpose of renting the site to others.
- F. The business contributed materially to the income of the displaced person during the two taxable years prior to displacement.

You will have 18 months from the date you vacate the property which you currently occupy to submit claims for reimbursement of eligible relocation expenses.

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

Moving and related payments are not considered as income for the purposes of personal income tax laws. Relocation payments are normally made within sixty (60) days of the date that a completed claim is received by \_\_\_\_\_.

\_\_\_\_\_ provides you with the right to appeal this determination and have your case reviewed or reconsidered in accordance with \_\_\_\_\_ appeals procedures. If you still believe a proper determination has not been made by \_\_\_\_\_ appeals process, you may seek judicial review. Complete details on the appeals process are available from your relocation agent.

It is important that you understand the matters explained above which relate to your relocation assistance program eligibility. If at any time you would like assistance, please contact the following \_\_\_\_\_

Relocation Consultant: \_\_\_\_\_

Sincerely,

RECEIPT ACKNOWLEDGEMENT:

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

## NINETY-DAY (90) NOTICE TO VACATE

Dear

You are presently occupying certain premises owned by the \_\_\_\_\_ located at \_\_\_\_\_ . In order to carry out the development the building you occupy will be demolished. Therefore it is necessary for you to vacate the premises.

However, in accordance with applicable relocation regulations, you shall be given at least ninety (90) days advance written notice to move. Therefore your 90 day period will expire on \_\_\_\_\_. Failure to vacate and deliver possession of said premises to the \_\_\_\_\_ on or before \_\_\_\_\_ will result in the commencement of legal proceedings to evict you and to recover damages.

You may move before the end of the ninety-day (90) period. Remember to notify your relocation consultant before you move or sign an agreement so that it may be internally and externally inspected by the relocation consultant.

In the meantime, if you have any questions or require assistance, please contact our relocation consultant who may be reached at 510 S. La Brea Avenue, Inglewood, CA 90301 and the telephone number is (310) 645-3729.

Sincerely,

\_\_\_\_\_

### RECEIPT ACKNOWLEDGEMENT:

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

## **EXHIBIT B**

### **SAMPLE INFORMATIONAL BROCHURE**

## **INFORMATIONAL BROCHURE RELOCATION ASSISTANCE TO TENANTS DISPLACED FROM THEIR HOMES**

### **Introduction**

This booklet describes the relocation payments and other relocation assistance provided under the California Relocation Assistance Law (“CRAL”) to tenants displaced from their homes. This includes any family or individual that must move as a direct result of rehabilitation, demolition or acquisition for a project in which State funds are used.

If you are notified that you will be displaced, it is important that you **do not move** before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

This booklet may not answer all of your questions. If you have more questions about your relocation, contact the Agency responsible for the project. (Check the back of this booklet for the name of the person to contact at the Agency.) Ask your questions before you move. Afterwards, it may be too late.

### **Summary of Relocation Assistance**

As an eligible tenant displaced from your home, you will be offered the following advisory and financial assistance:

- **Advisory Services.** This includes referrals to comparable and suitable replacement homes, the inspection of replacement housing to ensure that it meets established standards, help in preparing claim forms for relocation payments and other assistance to minimize the impact of the move.
- **Payment for Moving Expenses.** You may choose either a:
  - \* **Payment for Your Actual Reasonable Moving and Related Expenses,** or
  - \* **Fixed Moving Expense and Dislocation Allowance,** or
- **Replacement Housing Assistance.** To enable you to rent, or if you prefer, buy a comparable or suitable replacement home, you may choose either:
  - \* **Rental Assistance,** or
  - \* **Purchase Assistance.**

If you disagree with the Agency's decision as to the relocation assistance for which you are eligible, you may appeal that decision.

### **General Questions**

#### **How Will I Know I Am Eligible For Relocation Assistance?**

You should receive a written notice explaining your eligibility for relocation assistance. You should not move

before receiving that notice. If you do, you may not receive relocation assistance.

### **How Will The Agency Know How Much Help I Need?**

You will be contacted at an early date and personally interviewed by a representative of the Agency to determine your relocation needs and preferences for replacement housing and advisory services. The interviewer will ask certain questions about you and other members of your household, including questions about your income. It is to your advantage to provide the information so that the Agency can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

### **How Soon Will I Have To Move?**

If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice of (1) at least one "comparable replacement home" that is available to you and (2) the earliest date by which you must move.

### **What Is A Comparable Replacement Home?**

A comparable replacement home is:

- Decent, safe, and sanitary.
- Functionally equivalent to (and equal or better than) your present home.
- Actually available for you to rent.
- Affordable.
- Reasonably accessible to your place of employment.
- Generally as well located with respect to public and commercial facilities, such as schools and shopping, as your present home.
- Not subject to unreasonable adverse environmental conditions.
- Available to all persons regardless of race, color, religion, sex, or national origin.

### **What is Decent, Safe, and Sanitary Housing?**

Decent, safe, and sanitary housing is housing that:

- Meets applicable housing and occupancy requirements.
- Is structurally sound, weather tight, and in good repair.
- Contains a safe, adequate electrical wiring system.
- Has adequate living space for the occupants.
- Has a kitchen with a sink, hot and cold running water, and connections for a stove and refrigerator (if you were displaced from a housekeeping unit).
- Has a separate, complete bathroom with hot and cold running water.
- Has heating as required by climatic conditions.
- Has an unobstructed exit to safe, open space at ground level.
- Meets standards protecting occupants from lead-based paint hazards.
- If you are person with a physical disability, is free of any barriers which would preclude your reasonable use of the unit.

### **Will The Agency Help Me Find A Replacement Home?**

Yes. You will be provided with referrals to housing that has been inspected to ensure that it meets established standards. If possible, you will be referred to at least three comparable replacement homes. The maximum financial assistance for which you may qualify will be based on the cost of the most representative comparable replacement home that is available to you. Promptly after you become eligible for relocation assistance, the Agency will inform you of such unit and the maximum payment available.

Once the Agency representative has a clear understanding of your needs and preferences, he or she will work with you to assure that you are given the best possible choice of housing. The Agency will offer you appropriate transportation to inspect these units.

### **What If I Find My Own Replacement Housing?**

You have every right to find your own replacement housing. However, before you rent or buy, ask the Agency to inspect the unit to make sure that it is decent, safe, and sanitary. If the housing unit is not decent, safe, and sanitary, you will not receive a replacement housing payment.

### **What If I Encounter A Problem In Obtaining Housing Of My Choice?**

If you encounter a problem in buying or renting housing of your choice, notify the Agency immediately. The Agency will look into the matter and try to resolve it. You will receive this help whether you were referred to the housing unit or found it yourself.

If you are unable to buy or rent a housing unit because of discriminatory practices on the part of a real estate broker, rental agent, lender, or a property owner, the Agency will help you file a formal housing discrimination complaint with the U.S. Department of Housing and Urban Development or the appropriate State or local fair housing agency.

### **What Other Services Will I Receive?**

In addition to help in obtaining a comparable replacement home, other assistance, as necessary, will be provided in order to minimize the impact of your move. This assistance may include referral to appropriate public and private agencies that provide services concerning housing financing, employment, health, welfare, or legal assistance. The range of services depends on the needs of the person being displaced. You should ask the Agency representative to tell you about the specific services that will be available to help you and your family.

### **What Is a Payment For Actual Reasonable Moving and Related Expenses?**

You may choose to receive a relocation payment to cover the reasonable cost of your move. If you choose a Payment For Actual Reasonable Moving And Related Expenses, you may include in your claim the reasonable and necessary costs for:

- Transportation for you and your family.
- Packing, moving and unpacking your household goods.
- Disconnecting and reconnecting household appliances and other personal property (e.g., telephone and cable

TV).

- Storage of household goods, as may be necessary.
- Insurance for the replacement value of your property during the move and necessary storage.
- The replacement value of property lost, stolen or damaged in the move (but not through your neglect) if insurance is not reasonably available.

The Agency will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for any costs that you incur, so keep all your receipts. Select your mover with care. The Agency can help you select a reliable and reputable mover.

You may elect to pay your moving costs yourself and be repaid by the Agency or, if you prefer, you may have the Agency pay the mover. In either case, let the Agency know before you move.

### **What Is A Fixed Moving Expense And Dislocation Allowance?**

If you choose a Fixed Moving Expense and Dislocation Allowance, you will receive an allowance which is based on the number of rooms in your home or the number of rooms of furniture you will be moving, as shown on a schedule. The Agency has a copy of the schedule and will help you decide whether choosing this allowance is in your best interest.

If you do not have a large amount of personal property to move, this payment should be more advantageous. No special documentation is required to support your claim. You need only move your personal property and complete the appropriate claim form in order to receive your payment.

### **How Much Rental Assistance Will I Receive?**

You may be eligible to receive Rental Assistance for a 42-month period. The assistance is computed in the following manner:

The assistance needed for one month is determined by subtracting the "base monthly rent" for your present home from the cost of rent and utilities for your new home (or a comparable replacement home, if that cost is lower). That monthly need, if any, is multiplied by 42, to determine the total amount that you will receive. This amount will be paid directly to you. The Agency must provide the assistance in monthly installments or other periodic payments. Generally, the base monthly rent for your present home is the lesser of: (1) the monthly rent and average monthly cost for utilities, or (2) thirty (30) percent of your average monthly gross household income, if you are low-income based on HUD income limits.

**Examples:** Let's say that the monthly rent and average cost for utilities for your present home are \$250; the monthly rent and estimated average utility costs for a comparable replacement home are \$350; and your monthly gross income is \$700. In this case your "base monthly rent" would be \$210 because you are low-income and that amount (30 percent of your income) is less than the monthly cost of rent and utilities at your present home (\$250).

- If you rent a replacement home for \$360 per month, including estimated average monthly utility charges, you will receive \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home (\$210) and the cost for a comparable replacement home (\$350)).

- If you rent a replacement home for \$310, including estimated average monthly utility charges, you will receive \$4,200. That amount is 42 times \$100 (the difference between the "base monthly rent" for your present home (\$210) and the actual cost of your new home (\$310)).

To qualify for rental assistance, you must rent and occupy a decent, safe, and sanitary home within one year after the date you move. However, the Agency will extend this period for good cause.

### **If I Decide to Buy, Rather Than Rent, How Much Assistance Will I Receive?**

If you buy a replacement home, you may be eligible for assistance to make a down payment equal to the amount you would receive if you rented a comparable replacement home (i.e., 42 times the amount obtained by subtracting the "base monthly rent" for your present home from the monthly rent and estimated average monthly utility costs for a comparable replacement home). A down payment assistance payment will be paid in a lump sum.

**Example:** Assuming the information in the prior examples, the down payment assistance payment would be \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home (\$210) and the monthly rent and estimated average monthly utilities cost for a comparable replacement home (\$350). The full amount of the payment must be applied to the purchase of the replacement dwelling.

### **Must I File A Claim To Obtain A Relocation Payment?**

Yes. You must file a claim for each relocation payment. The Agency will, however, provide you with the required claim form, help you to complete it, and explain the type of documentation, if any, that you must submit in order to receive the payment.

If you must pay any relocation expenses before you move (e.g., a security deposit when you sign a lease for your new home), discuss your financial needs with the Agency. While refundable deposits are not covered by URA payments, you may be able to obtain an advance payment to meet these costs. An advance payment may be placed in "escrow" or paid directly to a contractor to ensure that the move will be completed on a timely basis.

You must file your claim within 18 months after the date you move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, ask the Agency to extend this period.

Be careful not to confuse this 18-month period with the 12-month period within which you must rent (or buy) and occupy a replacement dwelling in order to be eligible for a replacement housing payment.

You will be paid promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

### **Will I Have To Pay Rent To The Agency Before I Move?**

If the Agency acquires the property in which you live, you may be required to pay a fair rent to the Agency for the period between the acquisition of the property and the date that you move. Such rent will not exceed the market rent for comparable properties in the area.

### **What If I Don't Receive The Required Assistance. Can I Appeal?**

If you disagree with the Agency's decision as to your right to relocation assistance or the amount of a payment, or the adequacy of the housing to which you have been referred, you may appeal the decision to the Agency.

The Agency will inform you of its appeal procedures. At a minimum, you will have 60 days to file your appeal with the Agency after you receive written notification of the Agency's determination on your claim. Your appeal must be in writing. However, if you need help, the Agency will assist you in preparing your appeal.

If you are a low- or moderate-income person and are dissatisfied with the Agency's determination on your appeal, you may have an additional right to request administrative review of that decision.

You can expect a fair decision on any appeal. However, if you are not satisfied with the final administrative decision on your appeal, you may seek review of the matter by the courts.

### **I Have More Questions. Who Will Answer Them?**

If you have further questions after reading this booklet, contact the Agency and discuss your concerns with an Agency representative.

**Francisco Mendez**

**Del Richardson & Associates Inc.**

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## RELOCATION ASSISTANCE TO DISPLACED BUSINESSES, NONPROFIT ORGANIZATIONS AND FARMS

### Introduction

This booklet describes the relocation assistance and payments provided to displaced businesses, nonprofit organizations and farms accordance with the ***California Relocation Assistance Law (CRAL)***. This includes any such occupant that moves from real property, or moves personal property from real property, as a direct result of acquisition, rehabilitation or demolition for a project in which Federal funds are not used.

If you are notified that you will be displaced, it is important that you **do not move** before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

This booklet may not answer all of your questions. If you have more questions about your relocation, contact the Relocation Consultant responsible for the project. (Check the back of this booklet for the name of the Relocation Agent.) Ask your questions before you move. Afterwards, it may be too late.

### Summary of Relocation Assistance

As an eligible displaced person, you will be offered the following advisory and financial assistance:

- **Advisory Services** includes referrals to suitable replacement locations, help in preparing claim forms for relocation payments and other assistance to minimize the impact of the move.
- **Payment for *Moving and Reestablishment Expenses*** falls into two general categories:
- **Payment for *Actual, Reasonable Moving and Related Expenses***. If you choose this payment, you may also be eligible for a **Payment for Reestablishment Expenses**, up to \$10,000.
- **Fixed Payment** (“In Lieu-Of” Payment). As an alternative to receiving payment for your actual, reasonable and related moving and reestablishment expenses, certain persons are eligible to choose a Fixed Payment in the amount of \$1,000 - \$20,000.

### General Questions

#### How Will I Know I Am Eligible For Relocation Assistance?

You should receive a written notice explaining your eligibility for relocation assistance. You should not move before receiving that notice. If you do, you may not be eligible for relocation assistance.

#### How Will DISTRICT Know How Much Help I Need?

You will be contacted at an early date and personally interviewed by a Relocation Agent from DISTRICT to determine your relocation needs and preferences.

#### How Soon Will I Have To Move?

Every reasonable effort will be made to provide you with sufficient time to find and reestablish your business in a suitable replacement location. If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice.

**How Will I Find A Replacement Location?**

The Relocation Agent will provide you with current information on available replacement locations that meet your needs. The Relocation Agent may also provide you with the names of real estate agents and brokers who can assist you in finding the type of replacement location you need. A Relocation Agent will assist you in obtaining a suitable replacement location, you should take an active role in finding and relocating to a location of your choice; no one knows your needs better than you. When searching for a replacement location for your business, you should ensure that there are no zoning or other requirements which will unduly restrict your planned operations.

**What Other Assistance Will Be Available To Help Me?**

In addition to help in finding a suitable replacement location, other assistance, as necessary, will be provided by the Relocation Agent. This includes providing information on Federal, State, and local programs that may be of help in reestablishing a business. For example, the Small Business Administration (SBA) provides managerial and technical assistance to some businesses. You should ask the Relocation Agent to tell you about the specific services that may be available to help you.

**I Have A Replacement Location And Want To Move. What Should I Do?**

Before you make any arrangements to move, notify the Relocation Agent as soon as possible. The Relocation Agent will discuss the move with you and advise you of the relocation payment(s) for which you may be eligible, the requirements to be met, and how to obtain a payment.

**I Plan To Discontinue My Business Rather Than Move. What Should I Do?**

If you have decided to discontinue your business rather than reestablish, you may still be eligible to receive a payment. Contact the Relocation Agent and discuss your decision to discontinue your business. You will be informed of the payment, if any, for which you may be eligible and the requirements that must be met to obtain the payment.

**I Own This Property. Will I Be Paid For It Before I Have To Move?**

If you reach a negotiated agreement to sell your property to DISTRICT, you will not be required to move before you receive the agreed purchase price. If the property is acquired through an eminent domain proceeding, you cannot be required to move before the estimated fair market value of the property has been deposited with the court. (You should be able to withdraw this amount immediately, less any amounts necessary to pay off any mortgage or other liens on the property and to resolve any special ownership problems. Withdrawal of your share of the money will not affect your right to seek additional compensation for your property.)

**What Moving Expenses Are Eligible For Payment?**

If you choose a *Payment For Actual, Reasonable Moving and Related Expenses*, you may include in your claim the reasonable and necessary cost of:

- Transportation of the displaced person and personal property. Transportation costs beyond 50 miles are ineligible, unless DISTRICT determines that relocation beyond 50 miles is justified.
- Packing, crating, unpacking, and uncrating personal property.
- Disconnecting, dismantling, removing, reassembling, and reinstalling machinery, equipment, or other personal property, (including goods and inventory kept for sale) not acquired by DISTRICT including connection charges imposed by public utilities for starting utility service.
- Storage of the personal property for a period not to exceed 12 months, if DISTRICT determines that is reasonable and necessary.

- Insurance for the replacement value of the property in connection with the move and necessary storage.
- Cost, directly related to displacement, of modifying the machinery, equipment or other personal property to adapt it to the replacement location or to utilities available at the replacement location or modifying the power supply.
- The replacement value of property lost, stolen, or damaged in the process of moving where insurance covering such loss, theft, or damage is not reasonably available.
- Any license, permit, fees or certification required at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, fees or certification.
- Professional services as DISTRICT; moving the personal property; and installing the relocated personal property at the replacement location.
- Actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business or farm operation. The payment shall consist of the lesser of:
  - (1) The fair market value in place of the item, as is for continued use, less the proceeds from its sale; or
  - (2) The estimated cost of moving the item as is, but not including any allowance for storage or for reconnecting a piece of equipment, if the equipment is in storage or not being used at the acquired site. If the business or farm operation is discontinued, the estimated cost of moving the item shall be based on a moving distance of 50 miles.
- The reasonable cost incurred in attempting to sell an item that is not to be relocated.
- Purchase of substitute personal property. If an item of personal property, (which is used as part of a business or farm operation) is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, the displaced person is entitled to payment of the lesser of: (1) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or (2) The estimated cost of moving and reinstalling the replaced item but with no allowance for storage.
- Searching for a replacement location. A business or farm operation is entitled to reimbursement for actual, reasonable expenses, not to exceed \$1,000 which are incurred in searching for a replacement location, including: Transportation; meals and lodging away from home; time spent searching, obtaining permits, attending zoning hearings and negotiating the purchase or lease of a replacement site (based on reasonable salary or earnings); fees paid to a real estate agent or broker to locate a replacement site (exclusive of any fees or commissions related to the purchase of such sites).
- Low value/high bulk. Where, in the judgment of DISTRICT, the cost of moving an item of personal property of low value and high bulk which is used in connection with any business would be disproportionate in relation to its value, the allowable reimbursement for expenses of moving such property shall not exceed the difference between the cost of replacing the same with a comparable item available on the market and the amount which would have been received for such property on liquidation. This may be appropriate when applied to claims involving the moving of junkyards, stockpiles, sand, gravel, minerals, metals and similar property.

The Relocation Agent will explain all eligible moving and related costs, as well as those which are not eligible. You must be able to account for all costs that you incur; so keep all your receipts. The Relocation Agent will inform you of the documentation needed to support your claim.

You may elect to pay your moving costs yourself and be repaid by DISTRICT or, if you prefer, you may have DISTRICT pay the mover. In either case, select your mover with care. The Relocation Agent can help you select a reliable and reputable mover.

Also, keep the Relocation Agent informed about your moving plans. You must provide DISTRICT reasonable advance written notice of the approximate date of the start of your move or disposition of your personal property and an inventory of the items to be moved. DISTRICT may agree to waive this requirement. You must permit the Relocation Agent to make reasonable and timely inspections of the personal property at the old and new locations and to monitor the move.

### **What Is A Payment For Reestablishment Expenses?**

If you choose to receive a payment for your actual moving and related expenses, you may also be eligible to receive a payment for reestablishment expenses, not to exceed \$10,000. Such expenses must be reasonable and necessary, as determined by DISTRICT. They include, but are not limited to the following:

- Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.
- Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
- Construction and installation costs for exterior signing to advertise the business.
- Provision of utilities from right-of-way to improvements on the replacement site.
- Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting.
- Licenses, fees and permits when not paid as part of moving expenses.
- Advertisement of replacement location.
- Professional services in connection with the purchase or lease of a replacement site.
- Estimated increased costs of operation during the first 2 years at the replacement site for such items as:
  - Lease or rental charges;
  - Personal or real property taxes;
  - Insurance premiums; and
  - Utility charges, excluding impact fees.
- Impact fees or one-time assessments for anticipated heavy usage.
- Other items essential to the reestablishment of the business.

For purposes of the Reestablishment Expenses Payment, a small business means a business having not more than 500 employees working at the site being acquired or displaced by a project which site is the location of economic activity. Sites occupied solely by outdoor advertising signs displays or devices do not qualify as a small business for purposes of this section.

### **What Is A Fixed Moving Payment (“In Lieu of” Payment)?**

Certain businesses, nonprofit organizations and farms are eligible to obtain a Fixed Moving Payment, “in lieu of” receiving a payment for Actual, Reasonable Moving and Related Expenses and a Payment for Reestablishment Expenses. The Fixed Payment for a business or farm operation is based on the average annual net earnings of the business or farm operation; the Fixed Payment for a nonprofit organization is based on average annual gross revenues less administrative expenses. A Fixed Payment will not be less than \$1,000, or more than \$20,000. Check with the Relocation Agent to see if you are eligible for this payment option.

The Relocation Agent will inform you as to your eligibility for this payment and the documentation you must submit to support your claim.

Remember, when you elect to take this payment you are not entitled to reimbursement for any other moving or

reestablishment expenses.

### **Must I File A Claim For A Relocation Payment?**

Yes. You must file a claim for a relocation payment. The Relocation Agent will, however, provide you with the required claim form, help you to complete it, and explain the type of documentation that you must submit in order to receive the payment.

**All claims for relocation payments must be filed no later than 18 months after: For tenants, the date of your move. For owners, the later of (1) the date of your move; or (2) the date of final payment for the acquisition of your property.**

However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, ask DISTRICT to consider extending this period. You will be paid promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified of the problem in writing and the action you must take to resolve the matter.

If you must pay any relocation expenses before you move, discuss your needs with the Relocation Agent. You should be able to obtain an advance payment. An advance payment may be placed in "escrow" to ensure that the move will be completed on a timely basis.

### **Will I Have To Pay Rent To DISTRICT Before I Move?**

You are required to pay a rent to DISTRICT until the date that you move.

### **Do I Have To Pay Federal Income Taxes On My Relocation Payments?**

Section 7269 of the CRAL provides that (a) No payment received by any person under this chapter or as tenant relocation assistance required by any state statute or local ordinance shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code; (b) No payment received by any person under this chapter shall be considered as income or resources to any recipient of public assistance and such payments shall not be deducted from the amount of aid to which the recipient would otherwise be entitled under any other provisions of law.

For additional information on State, Federal or local income taxes, you should check with the State, Federal or local income tax office in your area or with your personal tax advisor.

### **If I Don't Receive The Required Assistance, Can I Appeal?**

Yes. If you disagree with DISTRICT 's decision as to your right to relocation assistance or the amount of a payment, you may appeal the decision to DISTRICT. The Relocation Agent will inform you of its appeal procedures. At a minimum, you will have 60 days to file your appeal with DISTRICT after you receive written notification of DISTRICT 's determination on your claim. Your appeal must be in writing. However, if you need help, DISTRICT will assist you in preparing your appeal.

If you are not satisfied with DISTRICT's final decision on your appeal, you may seek review of the matter by the courts.

### **I Have More Questions. Who Will Answer Them?**

If you have further questions after reading this booklet, contact DISTRICT's Relocation Consultant to discuss your concerns with the Relocation Agent.

Relocation Consultant:

Address:

Office Hours:

Telephone Number:

Person to Contact:

## **EXHIBIT C**

### **PUBLIC COMMENTS AND RESPONSES**

RELOCATION PLAN  
PUBLIC COMMENT FORM

DATE:

NAME (OPTIONAL)

EMAIL (OPTIONAL)

ADDRESS (OPTIONAL)

PHONE # (OPTIONAL)

COMMENTS: