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RESIDENTIAL

RELOCATION ASSISTANCE PROGRAM



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# Introduction

The Relocation Assistance Program is designed to establish uniform policies and procedures in relocation assistance that will assure legal entitlements and provide fair, equitable, and consistent treatment to persons displaced by projects administered by a local agency.

The program is administered in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA).

This brochure is designed to answer your questions about your relocation entitlements. Specific information about relocation assistance is contained in the law. While every effort has been made to assure the accuracy of this brochure, it does not have the force and effect of the law. Should any difference or error occur, the law will take precedence. The law is contained in the United States Code, 42 USC 4601 et seq., Public Law 91-646, the implementing regulations found in the Code of Federal Regulations, 49 CFR Part 24, the Revised Code of Washington, RCW 8.26, and the implementing regulations of the Washington Administrative Code, WAC 468-100.

Your concerns are important to our Agency and our goal is to minimize any disruptions and other impacts of the project. Thank you for taking the time to read this brochure. Our Agency appreciates your understanding and cooperation.

# Eligibility

## When do I become eligible for relocation assistance?

You become eligible for relocation assistance on the day the Agency makes a written offer to buy the property you are occupying if the Agency determines that there are persons or personal property that must be moved

## Am I eligible for relocation assistance if I move before the agency’s written offer?

You may jeopardize your relocation rights unless you have reached a prior written agreement with the Agency.

## Lawfully Present in the United States

Federal law requires certification of residency status. You must sign a form certifying you are lawfully present in the United States before the relocation process can begin.

## Not Lawfully Present in the United States

Per WAC 468-100-208, any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child.

# Payments & claiming of relocation benefits

## Are relocation payments considered income?

Per the Internal Revenue Code of 1986, relocation payments are not considered income.

## When do I get paid for my relocation expenses?

In most cases, you will be reimbursed for relocation expenses after you have moved or incurred an eligible expense. In some cases, progress payments can be made if the Agency determines it is necessary.

## How long do I have to claim my relocation benefits?

All claims for relocation payments must be filed with the agency within 18 months after:

* For a tenant, the date you move from the acquired property
* For a property owner, the date you move from the property or receive your final acquisition payment for the property, whichever is later

# Relocation Advisory Services

## What is “Relocation Advisory Services”?

Following is a summary of the relocation advisory assistance you will receive if you are displaced by a local agency project.

* Determine your relocation needs and preferences by completing an occupancy survey
* Explain relocation services, eligibility requirements, payments available, and procedures for obtaining assistance
* Offer transportation to inspect replacement housing, if necessary
* Assure the availability of at least one comparable replacement property in advance of displacement
* Provide referrals to comparable replacement properties
* Provide the amount of maximum replacement housing entitlement and the basis for the determination in writing 90 days or more before the required vacate date
* Inspect replacement houses for Decent, Safe, and Sanitary (DSS) acceptability
* Supply information about other federal, state, and local programs offering assistance to displaced persons
* Advise obtaining a professional home inspection when purchasing a replacement property

Relocation Assistance is available during convenient hours, including evening hours when necessary. Relocation Specialists have access to or can provide the appropriate person/agency for a variety of information related to:

* Listings of Available Replacement Properties
* Local Housing Ordinances
* Building Codes
* Social Services
* Rental Security Deposits
* Interest Rates and Terms
* VA and FHA Loan Requirements
* Real Property Taxes
* Consumer Education Literature on Housing

## Social Services Provided by Other Agencies

Your relocation specialist can direct you to the services provided by other public and private agencies in your community. If you have special needs, the relocation specialist will make every effort to identify the agencies and services to help you. You should talk to your relocation specialist about your needs for these additional services.

# Moving & Options

## When do I have to move?

You will NOT be required to move unless at least one comparable replacement property is made available to you, and you have been given a written assurance of at least 90 days before the date by which you will be required to vacate the property. The Agency will provide this assurance in the relocation letter titled, “Notice of Relocation Eligibility, Entitlements, and 90-Day Assurance”. If occupancy of the property is allowed beyond the date the agency acquired possession, you will be required to sign a rental agreement and pay the Agency rent. The relocation 90-day Assurance should not be confused with the required 30-day notice to terminate your lease.

## What are my move options?

**Please do not move before you have discussed your moving plans with your relocation specialist and have a signed Move Expense Agreement.”** You can jeopardize your right to receive relocation entitlements unless you advise the Agency before moving.

As a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are based on one or a combination of the following move types:

## Commercial Move

If you prefer to have your personal property moved by a professional mover, you will hire and coordinate with the mover to pack, load, move, and unload your personal property. Once the move is complete, the Agency can make direct payment to the moving company at your request.

Related expenses include:

* + Packing and unpacking
	+ Disconnecting and reconnecting household appliances
	+ Reconnect fees for utilities at the replacement site (i.e., phone, cable, power)
	+ Moving Insurance while your property is in transit
	+ Moving transportation costs up to a maximum of 50 miles
	+ Other related costs.

## Self-Move

This schedule is based on how many rooms are in the displaced property and whether they are furnished. The number of eligible rooms is determined by the relocation specialist. Typically, bathrooms are not included in the room count. If you choose this option, you will not be eligible for reimbursement of related expenses listed under Commercial Move. The moving cost schedule is designed to cover such expenses.

## Fixed Moving Cost Schedule

|  |  |
| --- | --- |
| **Number of Eligible Rooms** | **Payment to Occupants Who Own Furnishings** |
| 1 | $800\* |
| 2 | $1,100 |
| 3 | $1,400 |
| 4 | $1,700 |
| 5 | $2,000 |
| 6 | $2,300 |
| 7 | $2,600 |
| 8 | $2,900 |

\*Includes a $500 dislocation allowance for utility hookups and other miscellaneous moving expenses.

Note: The expense and dislocation allowance to a person with minimal personal possessions occupying a dormitory-style room shared by two or more unrelated persons is limited to $100.

The expense and dislocation allowance to a person with minimal personal possessions occupying (renting) a room within a residence with shared living spaces is $500 plus $100 for each additional room.

## Actual Cost

An Actual Cost Move is the reimbursement of actual costs incurred for moving, supported by receipts or invoices for labor and equipment. Hourly labor rates should not exceed the cost paid by a commercial mover to their employees. Labor rates must be pre-approved by the Agency. Equipment rental fees should be based on the actual cost of renting the equipment but not exceed the cost paid by a commercial mover. Limited to a maximum move distance of 50 miles.

## Storage Costs

If determined to be necessary, temporary storage for up to 12 months may be reimbursable. Your storage request must be in writing and pre-approved by the Agency.

# Mobile Homes

All occupants of mobile homes being displaced are eligible for the costs to move their personal property located inside the mobile home and outside on the site of the mobile home using the move option described above and for advisory services.

Mobile homes, as defined in [WAC 468-100-002(17)](https://app.leg.wa.gov/wac/default.aspx?cite=468-100-002), may be determined to be either real property or personal property during the appraisal process.

Owners and/or occupants of mobile homes that are displaced may be eligible for different types of relocation Replacement Housing Payments dependent on different situations related to ownership and occupancy. Ownership and occupancy requirements for receiving any replacement housing entitlement as a mobile homeowner/tenant are the same as for a regular residential housing situation. The requirements for an owner/tenant occupant in a typical, constructed residential dwelling are applied to the occupant of a mobile home in all respects.

## Mobile Home Considered Real Estate (Real Property)

The mobile home will be acquired through the acquisition process as real estate according to Agency procedures.

## Mobile Home Considered Personal Property

The mobile home will not be purchased by the Agency. You will be eligible for the reasonable costs of moving the mobile home, including disassembling, moving, reassembling, anchoring the unit, and utility hook-up charges.

All occupants of mobile homes being displaced are eligible for the costs to move their personal property located inside the mobile home and outside on the site of the mobile home using the move options described in the moving payments section of this brochure and for advisory services.

# Replacement Housing Payments (RHP)

The residential relocation assistance program entitlements include a Replacement Housing Payment (RHP) that provides for certain eligible expenses to secure a replacement dwelling. If you are a displaced person, you will be given a written notice of your maximum RHP that will apply to your situation. The notice will be provided at least 90 days before the date by which you may be required to move.

RHP Entitlements are categorized based on the following:

* 90-Day Owner Occupants
* Price Differential
* Increased Mortgage Interest Costs
* Incidental Purchase Expenses
* 90-Day Tenant Occupants
* Rent Supplement, or
* Down Payment Assistance
* Less than 90-Day Occupant
* Housing of Last Resort

To become eligible for an RHP, you must rent/purchase and occupy a Descent, Safe, and Sanitary (DSS) replacement dwelling within one year and make your claim for your RHP within 18 months.

You cannot be required to move unless at least one “comparable replacement dwelling”, as described below, is made available to you.

## Comparable Replacement Dwelling

A comparable replacement dwelling should be functionally similar to your present dwelling. While not necessarily identical to your present dwelling, the replacement should have certain attributes:

* Similar number of rooms and living space
* Located in an area not subject to adverse environmental conditions
* Generally, not located in an area less desirable than your present location to public utilities and commercial and public facilities
* Currently available to you
* Lot size that is typical in size for similar property located in the same or similar neighborhood or rural area
* Within the financial means of the displaced person as described in

WAC 468-100-002(6)(h)(i-iv)

* If you choose to purchase a replacement dwelling that is not similar to your displacement dwelling, then the RHP will be adjusted accordingly. For example, a single-family dwelling is not considered similar to a multi-family dwelling and therefore not reasonable to apply the full calculated RHP to the purchase of your replacement dwelling.
* Be decent, safe, and sanitary as described later in this brochure

You have freedom of choice in the selection of your replacement housing. Without the person's written consent, the Agency will not require any displaced person to accept a replacement dwelling provided by the Agency. If you decide not to accept the replacement housing offered by the Agency, you may independently secure a replacement house of your choosing and still receive the RHP, providing it meets DSS housing standards.

# RHP Options for Owner Occupants of 90 days or more

## Price Differential

If you are an owner and have occupied your home continuously for 90 days or more before the Agency’s offer to purchase your property (90-day owner), you may be eligible to receive a Price Differential Payment for the cost necessary to purchase a comparable replacement dwelling. The Agency will compute the maximum payment you are eligible to receive based on the most comparable dwelling selected by the Agency.

The maximum Price Differential Payment is the amount by which the cost of a comparable replacement dwelling exceeds the acquisition cost of the displacement dwelling. The Price Differential payment and the payments listed below are in addition to the acquisition price paid for your property.

If you receive more than the appraised value for your current dwelling in the form of an Administrative Settlement, your Price Differential Payment will be reduced.

**EXAMPLE - Maximum Price Differential Payment Computation**

The Agency computes the maximum price differential payment based upon a comparable replacement property selected by the Agency that is currently available for you to purchase.

The EXAMPLE computation is shown as follows:

Price of Comparable Property $330,000

Acquisition Price of Your Property $320,000

Maximum Price Differential $10,000

In this example, the **Maximum Price Differential Payment is $10,000**



**EXAMPLES - Actual Price Differential Payment Computation**

How much of the price differential payment you receive depends on how much you spend to purchase a replacement property and the amount of the maximum price differential payment. Assuming the maximum price differential payment is $10,000, (as shown in the example on the previous page) your actual entitlement is computed as shown in the following examples:

Example A

Purchase Price of Replacement Property $330,000

Acquisition Price of Your Property $320,000

Actual Price Differential Payment $10,000

Example B

Purchase Price of Replacement Property $333,500\*

Acquisition Price of Your Property $320,000

Actual Price Differential Payment $10,000

**\*You Must Pay the Additional $3,500**

Example C

Purchase Price of Replacement Property $327,000

Acquisition Price of Your Property $320,000

Actual Price Differential Payment $7,000

## Increase Mortgage Interest Costs-Mortgage Interest Differential Payment (MIDP)

You may be reimbursed for increased mortgage interest costs if the interest rate on your new mortgage exceeds that of your present mortgage. Your displacement dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days before the initiation of negotiations.

## Incidental Purchase Expenses

You may also be reimbursed for other expenses such as reasonable costs incurred for appraisal, home inspection, title search, recording fees, and certain other closing costs normally paid by a purchaser, but not including prepaid expenses such as real estate taxes, property taxes, property insurance, prepaid interest, and homeowner association dues. Some expenses reimbursed are based on the outstanding balance of your current mortgage at your displacement dwelling. Your relocation specialist can provide a list of those reimbursable items upon request. A professional home inspection is highly recommended when purchasing a replacement dwelling.

## Rent Supplement

If you decide not to purchase a replacement dwelling and elect to rent instead, you may be eligible for a Rent Supplement. Your relocation specialist can discuss this with you if you are interested in this option.

# RHP Entitlements for 90-Day Tenant Occupants

## Rent Supplement

If you are a displaced tenant occupant of 90 days or more, you may be eligible for a rent supplement. To be eligible for a Rent Supplement Payment (RSP), tenants must be in actual and lawful occupancy for at least 90 days before the Agency’s offer to purchase the property.

The Maximum Rent Supplement Payment is the amount by which the rental costs of a comparable replacement dwelling exceed the rental costs of the displacement dwelling for 42 months.

The Actual Rental Supplement Payment will be determined on the final rental costs for the replacement dwelling.

The amount of your total gross monthly income may also influence the amount of your RSP. Your relocation specialist will advise you further regarding this matter.

If you are paying little or no rent, your RSP will be calculated based on fair market rent as determined by the appraiser.

**EXAMPLE- Maximum Rent Supplement Computation**



Rental Costs at Comparable Dwelling $2,200

Rental Costs at the Displacement Dwelling $2,100

Monthly difference in rental costs $100

Maximum rental supplement equals 42 times

the monthly difference in rental costs $4,200

**EXAMPLE - Actual Rent Supplement Computation**

Actual rental costs at Replacement Dwelling $2,175

Rental costs at the Displacement Dwelling $2,100

Monthly difference in rental costs $75

Actual Rent Supplement $3,150\*

\*$75 x 42 months

## Down Payment Assistance

As a 90-day tenant occupant, you may use the full amount of your RSP or $9,570, whichever is greater, as a down payment allowance and to pay some eligible incidental expenses to purchase a replacement dwelling.

Incidental expenses include the reasonable costs of an appraisal, home inspection, title search, recording fees, and certain other closing costs, but do not include prepaid expenses such as real estate and property taxes, insurance, prepaid interest, and homeowner association dues. You may also be eligible for the reimbursement of loan origination or assumption fees if such fees are normal to real estate transactions in your area and they do not represent prepaid interest.

A professional home inspection of the replacement dwelling is strongly advised.

## Less than 90-Day Occupants

For those displaced persons who fail to meet the length of occupancy requirements, additional assistance will be available through Housing of Last Resort.

## Rental Application Assistance

A displaced tenant may qualify for up to $1,000 in reimbursements for actual application or credit report fees required to lease a replacement dwelling. Documentation to support the reimbursement will be required.

# Housing of Last Resort

Ideally, an adequate supply of housing will be available for sale or rent; and the entitlements provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide housing for those persons being displaced.

If comparable housing is not available, or the RHP exceeds the statutory maximum of $9,570 for a 90-day tenant occupant or the statutory maximum of $41,200 for a 90-day owner occupant, housing will be provided under an administrative process called Housing of Last Resort.

Housing of Last Resort may be provided by the Agency in several ways, such as:

* Purchasing an existing comparable residential property and renting it to a displaced tenant
* Relocating and rehabilitating (if necessary) a displacement dwelling to make it available to the displaced owner
* Purchasing, rehabilitating, and/or constructing additions to an existing dwelling to make it comparable to the displacement property
* Purchasing land and constructing a new replacement dwelling comparable to the displacement property when a comparable is not otherwise available
* Purchasing an existing dwelling, removing barriers, and/or rehabilitating the structure to accommodate a displaced person when suitable comparable replacement dwellings are not available
* Paying over the statutory maximum of $9,570 or $41,200 payment limits to displaced persons to provide the necessary housing or financing

There is broad flexibility in implementing the Housing of Last Resort program.

# Decent, Safe, and Sanitary (DSS)

Replacement housing must be Decent, Safe, and Sanitary (DSS), which means it meets all the minimum requirements established by federal and state regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

* Be structurally sound, weather-tight, and in good repair
* Contain a safe electrical wiring system adequate for lighting and other devices
* Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees)
* Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person(s). The number of persons occupying each habitable room used for sleeping purposes should not exceed that permitted by local housing codes.
* Contain a well-lit ventilated bathroom, providing privacy to the user, and equipped with a sink, bathtub or shower, and toilet. Everything must be in good working order and properly connected to appropriate water and sewage systems.
* Contain a kitchen area with a fully usable sink that is properly connected to potable hot and cold water, and a sewage system. Must have adequate space and utility connections for stove and refrigerator.
* Contain unobstructed egress to safe open space at ground level.
* For displaced persons with a disability: Be free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling.

The DSS inspection should be completed by your relocation specialist before entering into a contractual agreement for your replacement dwelling.

The purpose of the DSS inspection of the replacement dwelling is to determine eligibility for RHP and is not intended to be, nor constitute, warrant, or guarantee, that the replacement dwelling is free from defects.

You are advised to obtain a professional home inspection on the replacement dwelling before making the purchase. The cost of the home inspection is reimbursable as an incidental purchase expense.

# Right to Appeal an Agency Decision

INSERT AGENCY APPEAL PROCESS AS APPROVED WITHIN THE AGENCY'S CURRENT ROW PROCEDURES

# Title VI Notice to Public

INSERT AGENCY TITLE VI NOTICE