

MEETING DATE: 01/22/08

AGENDA ITEM: Consideration to Approve a Relocation Plan for the Washington/Centinela Redevelopment Project.

ATTACHMENTS

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1	December 10, 2007: Public Notice	1
2	Relocation Plan for the Washington/Centinela Redevelopment Project	2-27

December 10, 2007

James Davidson
4063 S. Centinela Ave.
Los Angeles, CA 90066

Dear Mr. Davidson:

The Relocation Plan (Plan), relative to the proposed **Washington/Centinela Project**, affecting the property you occupy, is now available for your review and comments. Your copy of the Plan is attached with a reference copy available at the City of Culver City offices, Third Floor, 9770 Culver Boulevard, Culver City, CA 90232. The offices are open from 7:30 a.m. to 5:30 p.m., Monday through Friday. The offices are closed on December 21 and on succeeding alternate Fridays.

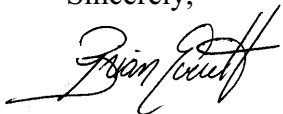
Written comments on the Plan must be submitted no later than **January 11, 2008** and should be directed to:

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

The final Plan is expected to be presented to the City Council for its approval at the meeting on January 22, 2008. Location: City Hall's Mike Balkman Council Chambers, 9770 Culver Blvd., Culver City, CA 90232. Time: 7:00 PM

Should you have any questions, please contact me at (800)400-7356.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Everett", with a stylized flourish at the end.

Brian Everett
Regional Director

c: Joe Susca, Redevelopment Project Manager, Culver City Redevelopment Agency
c: Christopher Cantrell, Mary A. Davidson, Ellery Holesapple, Alex Hall



RELOCATION PLAN

FOR THE

CENTINELA/WASHINGTON PROJECT

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

DECEMBER 10, 2007

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INTRODUCTION

The City of Culver City Redevelopment Agency (the Agency) intends to proceed with its plans to redevelop the strip along Washington Boulevard and Centinela Avenue (the Project). The Project will require the acquisition of one improved land parcel consisting of approximately 5,000 square feet and the subsequent permanent relocation of one residential tenant household. The proposed displacement triggers relocation assistance obligations under State Relocation Law (California Government Code Section 7260 et seq.) (the Law) and the State Relocation Guidelines (California Code of Regulations, Title 25, Chapter 6 et seq.) (the Guidelines). Among the various obligations of the Law is the requirement to prepare a relocation plan addressing the circumstances and needs of those persons potentially displaced by the Project.

The following Relocation Plan (the Plan) has been prepared by Overland, Pacific & Cutler (OPC) in accordance with the specific requirements set out in Section 6038 of the Guidelines concerning projects that involve the displacement of less than 15 households. This Plan provides the Project description, the results of a needs assessment survey conducted among residents, a housing resource study and details of the Agency's proposed relocation program. No displacement activities will take place prior to the required reviews and approval of this Plan.

A. PROJECT LOCATION

The proposed Project will take place in the City of Culver City. The City is located in the southwestern portion of the County of Los Angeles, approximately 15 miles from downtown Los Angeles. Culver City is immediately accessible from the 10, 405 and 90 freeways. Adjacent communities include Palms, Mar Vista, Cheviot Hills, South Robertson, Marina del Rey, Ladera Heights, Fox Hills, and Baldwin Hills. (See **Attachment 1**, Figure 1).

The specific Project site is located to the west of the 405 freeway and is generally bounded by South Centinela Avenue to the east, Washington Place to the north, Colonial Avenue on the west and West Washington Boulevard on the south. (See **Attachment 1**, Figure 2).

B. ASSESSMENT OF NEEDS

Survey information for the Plan was obtained from individual, on-site interview conducted in September 2007 with a member of the affected residential household who provided limited information since he was not a head of household. Additional household basic information was obtained from the Tax Assessors Property Profile since the head of household was not available at the time of several Project visits nor would he respond to the written requests for information. A phone survey was conducted with another family member renting a room in the house.

The affected residential household with five adult members occupies a single family dwelling of 1,273 square feet consisting of four bedrooms and one and a half bathrooms. The household is paying monthly rent of \$1,000 and has been residing in that unit for several years. It appears the family members renting the individual bedrooms in the house are paying monthly rent payments of \$1,200 to the head of household. They moved in the house in December 2006. The surveyed household members stated their preference to potentially find separate replacement housing in Culver City or West Los Angeles.

The household identified themselves as Caucasian or White with English reported as the dominant household language. The head of household is over the age of 62 and therefore this is a senior household with no reported physical disabilities that could affect the relocation process. According to Department of Housing and Urban Development (HUD) income standards for Los Angeles County, the respondent household qualifies as above moderate or high income.

Attachment 2 summarizes individual household characteristics and replacement housing needs. General demographic information for the City as well as prevailing HUD income standards are presented in **Attachments 3 and 4**, respectively.

C. REPLACEMENT HOUSING RESOURCES

A housing resource survey was conducted during the one week period in September 2007 to determine the availability of replacement housing sufficient to meet the needs of the Project area household. Single family residences with three bedrooms and bonus rooms or four bedrooms were considered as appropriate replacement dwellings units. Seven such single family units were identified with rents ranging from \$2,800 to \$3,600. Median rent among the surveyed units was \$3,500.

D. CONCURRENT RESIDENTIAL DISPLACEMENT

The City of Culver City is not involved in any project necessitating residential displacement that would diminish the availability of replacement housing opportunities for this one Project household.

E. TEMPORARY HOUSING

There is no anticipated need for temporary housing. Should such a need arise, the displacing entity will respond appropriately and in conformance with all applicable laws and requirements.

F. PROGRAM ASSURANCES AND STANDARDS

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

California Fair Employment & Housing Act; and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

No one will be displaced without at least 90 days notice and unless comparable replacement housing can be located and is available. Comparable housing includes standards such as: decent, safe and sanitary (as defined in § 6008[d] of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the acquired unit, but not lesser in rooms or living space than necessary to accommodate the displaced household; in an area that does not have unreasonable environmental conditions; not generally less desirable than the acquired unit with respect to proximity to schools, employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced household as defined in Section 6008, subdivision (c)(5) of the Guidelines.

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

G. RELOCATION ASSISTANCE PROGRAM

A relocation representative from OPC will assist all persons to be displaced as a consequence of the Project. OPC staff will maintain personal contact with all individuals until the relocation process has been completed and may be reached by calling toll free (800)400-7356 which is attended to from 8:00 a.m. to 5:00 p.m., Monday through Friday.

The relocation offices are located at:

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

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

- A. Distribution of informational brochures to residential tenants (**Attachment 5**);
- B. Timely referrals to at least three comparable replacement units and, if necessary, transportation will be provided to inspect potential replacement units; and
- C. Assistance with the completion, and filing of relocation claims, rental applications and appeal forms, if necessary.

H. RELOCATION BENEFIT CATEGORIES

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

1. Residential Moving Expense Payments

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

- a. Fixed Payment - A fixed payment for moving expenses based on the number of rooms containing furniture or other personal property to be moved. The fixed moving payment will be based upon the most recent Federal Highway Administration (FHA) schedules maintained by the California Department of Transportation (**See Fixed Payment Moving Schedule - Attachment 6**).

- OR -

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

2. Rental Assistance/Down Payment Assistance

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

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

3. Last Resort Housing Payment

Based on the data found in the replacement housing resource survey and the initially reported household income of the project household, it appears there may be a lack of "comparable replacement housing". Therefore, there may be a need to provide Last Resort Housing Payments.

"Last Resort Housing" payments are authorized by statute if affordable "comparable replacement housing" cannot be found for the displaced tenant household within their financial means (i.e., housing not more than 30% of the household's average monthly income.) In this case, payments may be made beyond the \$5,250 statutory cap up to 42 months worth of rental assistance. The Last Resort Housing benefit payment will not exceed an

amount calculated by multiplying 42 months times the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling (as determined by the City) and 30% of the household's average gross monthly income. If the calculation of the Last Resort Housing benefit amount is less than the monetary limit of \$5,250, the replacement housing benefit will not, in any event, be less than the monetary limit of \$5,250.

In order to receive any Last Resort Housing benefit as identified in this section, the displaced person must provide adequate income documentation. If no income documentation is provided or the income documentation is insufficient or unreasonable, no Last Resort Housing benefit calculation will be made and the monetary limit of \$5,250 shall apply.

The supplemental increment beyond \$5,250 may be paid in installments or in a lump sum at the discretion of the City. If a household chooses to purchase a replacement home rather than rent, the household will have the right to request a lump sum payment of the entire balance to which they are entitled.

I. PAYMENT OF RELOCATION BENEFITS

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

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

Procedures for preparing, and filing of claims and processing and delivering of payments are attached (**Attachment 7**).

No household will be displaced until "comparable" housing is located as defined above and in section 6008, subdivisions (c) and (d) of the Guidelines. Relocation staff will inspect any replacement units to which referrals are made to verify that they meet all the standards of decent, safe, and sanitary as defined in section 6008, subdivision (d) of the Guidelines. However, no household will be denied benefits if it chooses to move to a replacement unit which does not meet the standards of decent, safe, and sanitary housing.

J. EVICTION POLICY

Eviction will only be undertaken as a last resort measure in cases of nonpayment of rent, serious violation of the rental agreement, a dangerous, or illegal act in the unit, or if the household refuses to act after having received reasonable referrals to comparable replacement housing. Eviction will not affect the eligibility of a person legally entitled to relocation benefits.

K. APPEALS POLICY

The appeals policy will follow the standards described in Section 6150 et seq. of the Guidelines. Briefly stated, the displaced household will have the right to ask for review when there is a complaint regarding any of its rights to relocation and relocation assistance, such as a determination as to eligibility, the amount of payment, or the failure to provide a comparable replacement housing referral. A copy of the Agency's appeals policy and procedures is attached (**Attachment 8**).

L. PROJECTED DATES OF DISPLACEMENT

Household will receive a written 90 day notice-to-vacate before they are required to move. This notice is expected to be issued in January 2008. Relocation is expected to be completed by no later than the end of May 2008.

M. ESTIMATED RELOCATION COSTS

The Agency will use its own funds to underwrite the Project. Estimated relocation costs for the Project are \$46,500. This figure does not include any provision for relocation administrative costs or other services which may be necessary to carry out the Project.

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

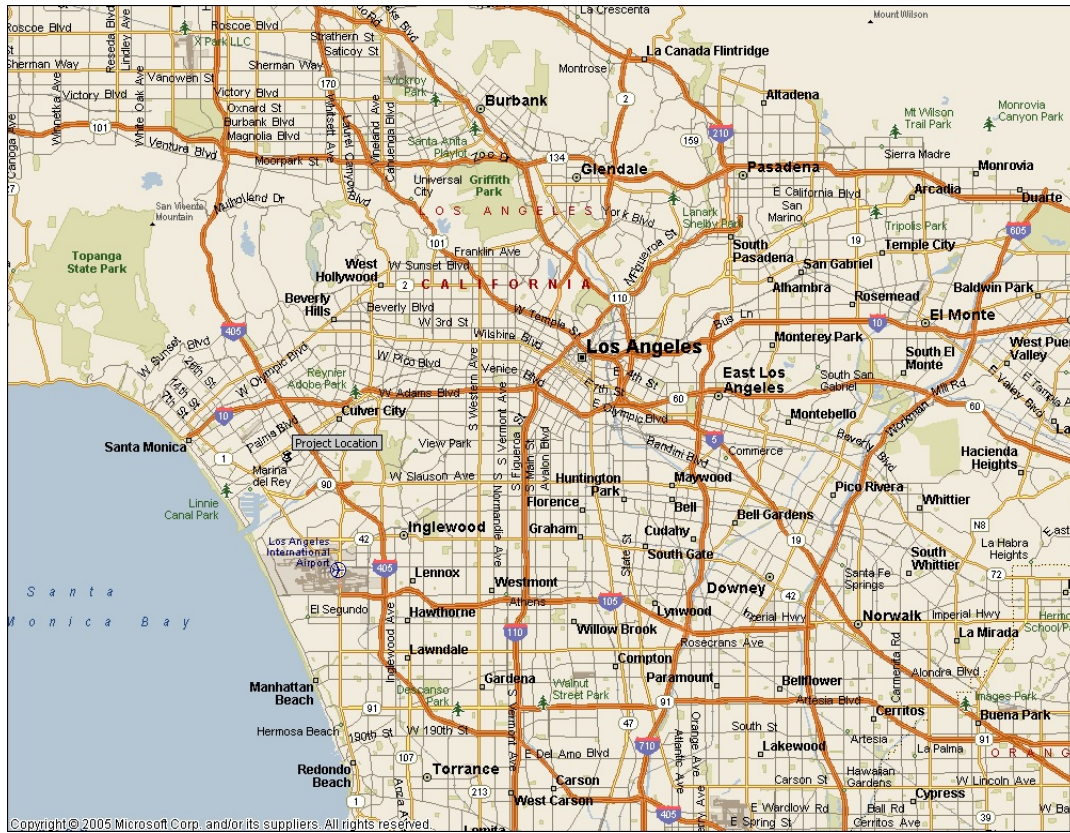
N. CITIZEN PARTICIPATION/PLAN REVIEW

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

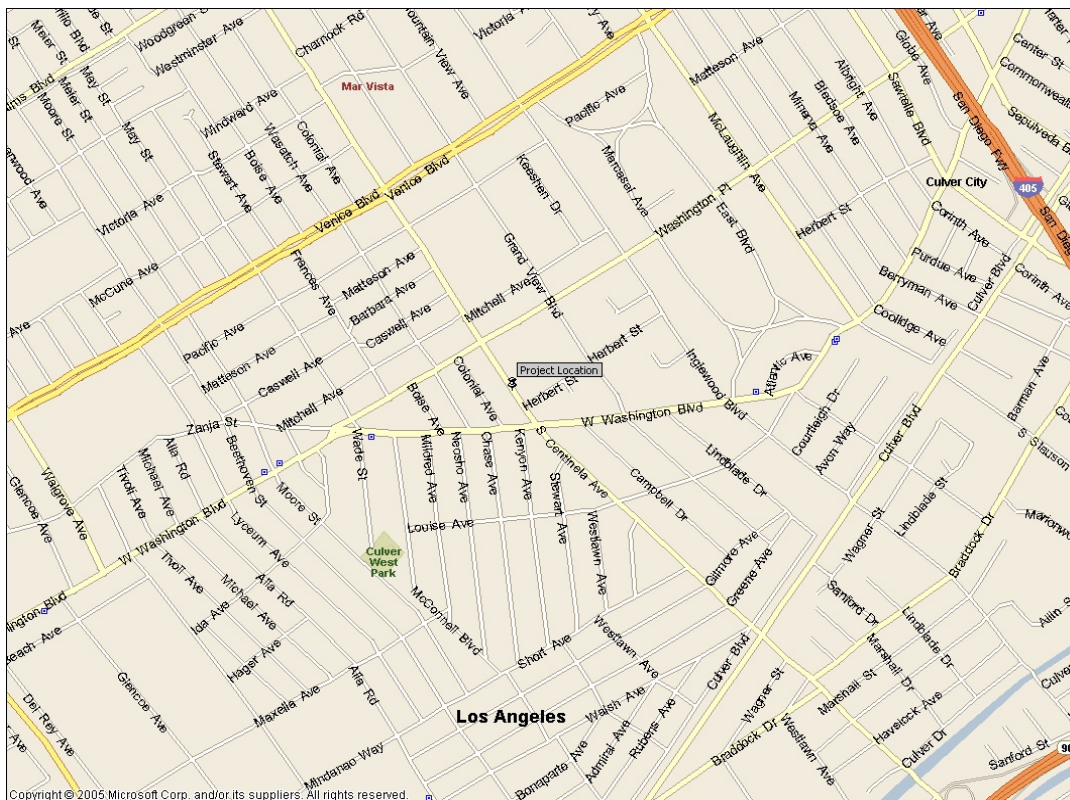
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Attachment 3:	Demographic Characteristics
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Attachment 6:	Fixed Payment Moving Schedule
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Attachment 9:	Plan Addendum (Public Comments and Response)

ATTACHMENT 1 PROJECT SITE MAPS



Map 1: Regional Project Location



Map 2: Project Site Location

ATTACHMENT 2
RELOCATION PLAN - WASHINGTON/CENTINELA PROJECT
HOUSEHOLD CHARACTERISTICS AND NEEDS

No	Income: Extremely Low, Very Low, Low, Moderate	Tenant Move- in Date	Number of Adults	Number and Ages of Children	Persons with Disability (Number)	Elderly Persons (Number)	Permanent or Temporary Displacement	Current Monthly Rent	Current Number of Bedrooms	Number of Bedrooms Required	Household Language
1	Above Moderate	1992	5	0	0	1	Permanent	\$1,000	4	4	English

ATTACHMENT 3
DEMOGRAPHIC CHARACTERISTICS

2000 Census Population - City of Culver City & Tract 7028.03				
Population	Tract 7028.03	%	City	%
Total Population	3,048	100.0%	38,816	100.0%
White	1,844	60.5%	22,996	59.2%
Black or African American	81	2.7%	4,644	12.0%
American Indian and Alaska Native	83	2.7%	277	0.7%
Asian	220	7.2%	4,667	12.0%
Native Hawaiian and Other Pacific Islander	18	0.6%	80	0.2%
Some Other Race	615	20.2%	3,945	10.2%
Two or More Races	187	6.1%	2,207	5.7%
Hispanic or Latino (of Any Race)	1,540	50.5%	9,199	23.7%

Source: U.S. Census Bureau, QT-PL. Race, Hispanic or Latino, and Age: 2000

2000 Census Housing Units - City of Culver City & Tract 7028.03				
Type	Tract 7028.03	%	City	%
Total Units	1,103	100.0%	17,130	100.0%
Owner-Occupied	430	39.0%	9,034	52.7%
Renter-Occupied	639	57.9%	7,577	44.2%
Vacant Housing Units	34	3.1%	519	3.1%
Available for Sale Only (of Total Vacant Units)	1	2.9%	112	21.6%
Available for Rent - Full Time Occupancy (of Total Vacant Units)	11	32.4%	164	31.6%
Sold or Rented - Not Occupied	2	5.9%	58	11.2%
Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)	1	2.9%	42	8.1%
Other Vacant	19	55.9%	143	27.6%

Source: U.S. Census Bureau, QT-H1. General Housing Characteristics: 2000

ATTACHMENT 4

HUD ANNUAL INCOME LIMITATIONS - YEAR 2007 COUNTY OF LOS ANGELES, CALIFORNIA

The following figures are approved by the U.S. Department of Housing and Urban Development (HUD) for use in the **County of Los Angeles** to define, and determine housing eligibility by income level, for the year 2007.

Area Median: \$56,500					
Family Size	Extremely Low Income	Very Low Income	Low Income	Median Income	Moderate Income
1 Person	\$15,550	\$25,900	\$41,450	\$39,600	\$47,500
2 Person	\$17,750	\$29,600	\$47,350	\$45,200	\$54,200
3 Person	\$20,000	\$33,300	\$53,300	\$50,900	\$61,000
4 Person	\$22,200	\$37,000	\$59,200	\$56,500	\$67,800
5 Person	\$24,000	\$39,950	\$63,950	\$61,000	\$73,200
6 Person	\$25,750	\$42,950	\$68,650	\$65,500	\$78,600
7 Person	\$27,550	\$45,900	\$73,400	\$70,100	\$84,100
8 Person	\$29,300	\$48,850	\$78,150	\$74,600	\$89,500

Figures are per the California State Department of Housing & Community Development, Division of Housing Policy Development, promulgated **April 18, 2007**.

ATTACHMENT 5

**SAMPLE INFORMATIONAL BROCHURE
FOR
DISPLACED HOUSEHOLDS**

INFORMATIONAL STATEMENT FOR FAMILIES AND INDIVIDUALS

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

I. GENERAL INFORMATION

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

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

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



Overland, Pacific & Cutler, Inc.
100 W. Broadway, Suite 500
Long Beach, CA 90802
Telephone: (800) 400-7356

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

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING.

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

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

II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

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

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

III. MOVING BENEFITS

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

A. Fixed Moving Payment

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

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

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

B. Actual Moving Expense (Professional Move)

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

IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS

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

A. Rental Assistance

If you qualify, and **wish to rent** your replacement dwelling, you may be eligible for a rental assistance payment, not-to-exceed \$5,250, equal to the difference between the lesser of 1) the monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling as determined by the Agency, or 2) the actual monthly rent of your replacement dwelling and estimated average monthly cost of utilities AND the base monthly rent during the three months immediately prior to vacation from the displacement dwelling, multiplied times 42 months. Base monthly rent is defined as the lesser of 1) the average monthly rent and estimated average monthly cost of utilities at the displacement dwelling, or 2) thirty (30) percent of your gross monthly household income, or 3) if you are receiving a welfare assistance payment, the portion of such payment that is specifically designated for shelter and utilities. If you are paying little or no rent for the Agency acquired dwelling, the Rental Assistance payment will be based on "economic rent", that is rent typically charged for a comparable unit in your area.

- OR -

B. Down-payment Assistance

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

V. SECTION 8 TENANTS

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

VI. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS

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

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

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

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

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

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

VII. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS

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

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

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

VIII. LAST RESORT HOUSING ASSISTANCE

"Last Resort Housing" payments are authorized by statute if affordable "comparable replacement housing" cannot be found for the displaced tenant household within their financial means (i.e., housing not more than 30% of the household's average monthly income.) In this case, payments may be made beyond the \$5,250 statutory cap up to 42 months worth of rental assistance. The Last Resort Housing benefit payment will not exceed an amount calculated by multiplying 42 months times the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling (as determined by the City) and 30% of the household's average gross monthly income. If the calculation of the Last Resort Housing benefit amount is less than the monetary limit of \$5,250, the replacement housing benefit will not, in any event, be less than the monetary limit of \$5,250.

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

IX. RENTAL AGREEMENT

As a result of the Agency's action to purchase the property where you live, you may become a tenant of the Agency for a certain time. If this occurs, you will be asked to sign a rental agreement which will specify

the monthly rent to be paid, when rent payments are due, where they are to be paid and other pertinent information.

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

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

X. APPEAL PROCEDURES - GRIEVANCE

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

XI. TAX STATUS OF RELOCATION BENEFITS

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

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

XII. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

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

ATTACHMENT 6

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

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

ATTACHMENT 7

**PROCEDURES
FOR
RELOCATION PAYMENTS AND ASSISTANCE**

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

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

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

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

ATTACHMENT 8

APPEALS POLICY AND PROCEDURES

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

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

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

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

ATTACHMENT 9

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