

The City of Tracy (City) is proposing to acquire property on MacArthur Drive, between Schulte Road and Valpico Road. The City plans on making offers to acquire several properties, in order to widen MacArthur Drive from two lanes to four lanes.

As part of the planning of this project, the City has retained the services of Associated Right of Way Services, Inc. ("AR/WS") to prepare a Draft Relocation Impact Statement (Draft Statement) that considers the needs of the residential occupants that may be displaced and addresses the availability of potential replacement sites in the surrounding area. Most importantly, this Draft Statement describes the City's commitment to provide relocation assistance to the eligible residential occupants.

The public is invited to review a copy of the Draft Statement and submit comments. Comments will help to shape this Draft Statement and will be included in the Final Relocation Impact Statement that will be presented to the Tracy City Council around March 15, 2016.

If any members of the public would like to make comments on the Draft Statement, they should contact the City's Relocation Planning Consultant:

 <p>Mr. Joe Magdaleno, Relocation Planning Consultant Associated Right of Way Services, Inc. 2300 Contra Costa Boulevard, Suite #525 Pleasant Hill, CA 94523 (800) 558-5151 <i>toll-free</i> • (925) 691-6505 <i>fax</i> jmagdaleno@arws.com</p>
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All comments must be submitted within 30 days of this posting. Comments received by February 19, 2016, will be incorporated into the Final Relocation Plan.

A copy of the Draft Statement is available at the following locations:

Tracy Branch Library Address: 20 E. Eaton Ave. Tracy, CA 95376	Development Services Department 333 Civic Center Plaza Tracy, CA 95376
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Relocation Impact Statement and Last Resort Housing Plan

MacArthur Drive Widening Project

Prepared for

The City of Tracy

Submitted by

Associated Right of Way Services, Inc.

November 2015



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Introduction

The City of Tracy (City) is proposing to reconstruct and widen an approximately 5,000 foot segment of MacArthur Drive between Schulte Road and Valpico Road from two lanes to four lanes. The proposed project will include modification of traffic signals and construction of curb, gutter, wheel chair ramps, bike lanes, sidewalks, streetlights, landscaping, traffic marking and striping. In order to construct the project, the City will need to acquire a portion of three properties along MacArthur Drive. As a result, two dwellings on a single parcel will need to be acquired and two tenant households will be required to relocate.

The one property is located at 2505 S. MacArthur Drive in Tracy. The property has multiple residential units, two of those dwellings will need to be removed as part of the project. The remaining dwellings on the property will not be impacted and the occupants will not be required to relocate.

Construction activities will cause one other household to relocate temporarily from 25760 S. MacArthur Drive. This four bedroom single-family residence that is tenant occupied. The city intends to find temporary replacement housing that would accommodate the tenants over a period of three to six months construction period.

The City of Tracy has contracted with Associated Right of Way Services, Inc. (AR/WS) to prepare and implement this Relocation Impact Statement and Last Resort Housing Plan (the Statement).. This Statement provides the results of a needs assessment survey, a housing resource study, and details of the City's proposed relocation program. The project will be funded by the City's Capital Improvement Program and a Federal TEA Grant. Therefore, this Statement sets forth policies and procedures necessary to conform with statues and regulations established by the California Relocation Assistance Law, California Government Code Section 7260 et seq. and the California Relocation Assistance and Real Property Acquisition Guidelines, Title 25, California Code of Regulations, Chapter 6, Section 6000 et seq., and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act), 42 U.S.C. Sections 4601 et seq., and its implementing regulations, 49 CFR Part 24. No displacement activities will take place prior to the required reviews and approval of this Statement.

Two households will need to relocate permanently and one household will be required to move temporarily to replacement housing in the greater Tracy area. This Statement addresses the specific replacement housing needs of the three households. The housing research conducted for this Statement has demonstrated that there is an adequate number of available rental units in the Tracy area to accommodate the needs of the households that will need to permanently and temporarily relocate. The City will need to provide advisory and monetary assistance to allow these households to secure and move to Decent, Safe and Sanitary dwellings.

Project Scheduling. The City may present the property owners with offers to purchase portions of their property as soon as December 2015. This draft Statement will be circulated for a 30-day public review and comment period in December of 2015. Any comments received during that period will be incorporated into the Final Relocation Impact Statement and Last Resort Housing Plan and will be presented to the Tracy City Council for consideration. If this Statement is approved by Council, the households would be provided with at least 90 days advance written notice of when the Property must be vacated.

Project Assurances. The City is committed to providing relocation assistance to each permanently displaced person who is in legal occupancy prior to the City's initiation of negotiations for the acquisition of the Property. It is the City's intent that:

- This Statement is made available to the public, including the displaced persons and any other interested parties for review and comment.
- The displaced persons, members of the public, and any Project Area Committee will have an opportunity to comment on this Statement during a 30-day review and comment period. All written comments and responses will be included in the Final Statement.
- All persons displaced as a result of this project shall receive fair and equitable treatment.
- No displaced person will suffer disproportionate damages as a result of a project proposed for the public's benefit.
- No eligible displaced person will be required to move unless adequate replacement housing is available to the displaced person, regardless of race, color, religion, sex, or national origin.
- No displaced person will be required to relocate unless comparable, affordable replacement housing is available within the City of Tracy.
- Each impacted household will be assisted by a Relocation Advisor who will assist the occupant through each step of the relocation process.
- No eligible permanently displaced person will receive a 90-Day Notice to Vacate or be required to relocate without first receiving a Notice of Eligibility for Relocation Assistance, a Conditional Entitlement Letter, a Relocation Brochure, and referrals to available, comparable replacement sites.
- A Relocation Advisor will provide each permanently displaced person with a Relocation Brochure which will explain all relocation assistance available and a Conditional Entitlement Letter which explains the specific assistance and options available. A calculation of any monetary assistance will be included in each Conditional Entitlement Letter.

- Relocation assistance payments will be made in a timely manner. Payments for replacement housing will be based on the City’s Housing Valuation Study and “spend-to-get” requirements.
- Eligible benefits and payments as required by governing regulations will be provided to all impacted households.
- The City’s relocation assistance program is adequate to provide orderly and timely relocation of all impacted households.
- The City will secure funds to pay all required moving costs, replacement housing payments, and other relocation benefits, including Last Resort Housing payments.
- Any person that is required to relocate temporarily will be treated fairly and equitably and will receive all reasonable and necessary out of pocket expenses, including any increased housing costs, payment for moving expenses, storage of personal property as needed.

Assessment of Needs

Each of the potentially impacted households was interviewed in order to determine the project impact and the feasibility of temporarily and permanently relocating the occupants into the surrounding community. Each household provided general household information regarding household size, income and replacement housing needs. In addition, general tenant information was gathered from the property owner. Available rental housing information was gathered through research of area newspapers, property management companies, and on-line rental research sites.

Occupant Characteristics. There are a total of four occupants living in the occupied units that will be relocated permanently. Three additional occupants are living in the dwelling that will be temporarily impacted. Although each household’s characteristics are unique, some general occupant and household characteristics can be helpful in understanding the housing needs of the occupants. Therefore, some general characteristics are listed below:

Total Number of Units:	3
Number of Occupied Units	3
Total Number of Occupants Living in Units	7
Number of Occupants Over 55 Years of Age	0
Number of Occupants between 18 and 54 Years of Age	6
Number of Occupants Younger Than 18 Years of Age	1
Number of Occupants with Special Physical or Mental Needs	0
Number of Households Who Will Need to Permanently Relocate Off Site	2

Type of Housing Units:	
Two-Bedroom Single-family Residence (Permanent)	1
One-Bedroom Apartment (Permanent)	1
Four-Bedroom Single Family Residence (Temporary)	1
Total Number of Occupied Housing Units	3

- **Locational Needs.** The households reported that they enjoyed the convenient location of the property and its close proximity to public facilities and public transportation. The households reported that they have at least one vehicle. A Relocation Advisor will work with the households to identify available, comparable replacement housing and if necessary assure that the comparable replacement housing is accessible to public facilities and public transportation.
- **Household Income.** During the process of interviewing each household for this Statement, income information was obtained but not documented. Additional household income information is required to determine income levels in comparison to the Area Median Income in the City of Tracy. Household incomes were not certified; therefore, projections were made for these households. Certified household income information will be used in calculating actual replacement housing payments for all households, if provided.
- **Current Rent.** The Property rent for the one-bedroom apartment is \$700 per month which is below-market rate and the two-bedroom single-family residence is renting for \$1,100 per month, which is at the lower range for two-bedroom single-family residences currently available in the market.

The rent for the four-bedroom single-family residence is \$1,000 per month which is also below-market rate.

- **Overcrowded Conditions.** The two households are currently not living in overcrowded conditions based upon the City's housing occupancy standards for relocation programs (two persons per bedroom).
- **Language.** The two households speak English as their primary language.

Special Circumstances. In some cases special circumstances may need to be considered in the moving or relocation process that would result in additional Advisory Assistance. These circumstances may include, but are not limited to, occupants with physical, mental, or emotional limitations. Based on the interviews with the three households and information obtained from the landlords, no special circumstances were identified. However, if special circumstances exist, the Relocation Advisor will be available to meet with these occupants in their homes and will offer to

meet with family members if requested. In addition the Relocation Advisor will take into consideration the type of replacement housing needed to accommodate any access and/or safety concerns.

Available Housing. A survey was conducted in November of 2015 to identify available housing units in the project area. The survey indicated that in the City of Tracy area there are plenty single-family houses, duplexes and apartments available for rent. A one two-bedroom single-family residence or duplex, one one-bedroom apartment and one four-bedroom single-family residence will be required to adequately relocate the three households. Therefore, the survey focused on confirming the number of housing units available that contain the required minimum number of bedrooms and are of adequate size for each household.

Rent for two bedroom single-family residences and duplexes ranges from \$1,100 to \$1,800. A minimum of ten two-bedroom single-family residences and duplexes were available on the private market during the survey period.

Rent for one-bedroom apartments ranges from \$1,033 to \$1,595. A minimum of 15 one-bedroom apartments were available on the private market during the survey period.

A survey was also conducted for three and four bedroom housing in case one household will be required to relocate on a temporary basis during construction.

Rent for three and four bedroom single-family residences ranges from \$1,495 to \$1,950. A minimum of 10 three and four bedroom single-family residences were available on the private market during the survey period.

In summary, the survey indicates there is a sufficient amount of two-bedroom housing units and one-bedroom housing units available to accommodate the two households being permanently displaced, and a sufficient supply of three and four bedroom housing in case one household has to temporarily relocate. Therefore, it is anticipated that during the displacement period, there will be enough comparable replacement housing units available for the households being permanently displaced and housing if anyone is required to relocate temporarily. Since the rental rates for the available sites are significantly higher than the current rents being paid by the households being displaced, the higher rents may not be affordable to these households and Last Resort Housing provisions may apply.

The following listed housing units are an example of comparable units that are available. No determination has yet been made as to their direct comparability to the subject properties.

**Two-Bedroom Single Family Residences and Duplexes
 November 2015**

Address	Bedroom/ Bath	Rent	Comments
87 W 3 rd Street, Tracy	2/1	\$1,100	Two Story Townhouse
59 W 3 rd Street, Tracy	2/1	\$1,200	Single-family residence
315 Mt. Oso Ave., Tracy	2/1.5	\$1,260 - \$1,300	Two Story Townhouse
172 E. Grant Line Road, Tracy	2/1	\$1,325	Duplex
2716 Daisy Lane, Tracy	2/2	\$1,800	Single-family residence

One-Bedroom Apartments

November 2015

Address	Bedroom/ Bath	Rent	Comments
950 W Grant Line Road, Tracy	1/1	\$1,033	Apartment Complex
400 W Central Ave., Tracy	1/1	\$1,360	Apartment Complex
800 W Grant Line Road, Tracy	1/1	\$1,385	Apartment Complex
2800 N Tracy Blvd., Tracy	1/1	\$1,485	Apartment Complex
1951 N Middlefield Dr., Tracy	1/1	\$1,595	Apartment Complex

Three and Four Bedroom Single Family Residences

November 2015

Address	Bedroom/ Bath	Rent	Comments
1165 Duncan Drive, Tracy	3/2	\$1,495	Single-family residence
1581 W Kavanagh Ave., Tracy	3/2	\$1,695	Single-family residence
2658 Gaines Court, Tracy	3/2	\$1,750	Single-family residence
6601 W Canal Blvd, Tracy	3/2	\$1,750	Single-family residence
2940 Ponte Mira Way, Tracy	4/3	\$1,800	Single-family residence
381 Citrus Way, Tracy	4/2.5	\$1,825	Single-family residence
2120 Cooper Road, Tracy	4/2	\$1,850	Single-family residence
2845 Rhett Court, Tracy	4/2.5	\$1,950	Single-family residence

Concurrent Residential Displacement There will be a project in the City of Tracy that will be temporarily displacing about 38 households. This is a private development and it will be refurbishing the existing housing units in three phases starting in December of 2015. However, the majority of replacement housing needed by these households will be three and four bedroom apartments, and as mentioned above, the displacement will take place in phases. Therefore, it is anticipated that there will be a sufficient supply of available housing for the two households being displaced by this project and one household that may temporarily relocate during construction.

Temporary Housing. There may be a need for temporary housing during construction. Should such a need arise, the City would respond appropriately and in conformance with all applicable laws and requirements. The one dwelling that may require temporary housing is a four bedroom unit. There are a sufficient number of available four bedroom units in Tracy to accommodate the one household who might need temporary housing for three to six months.

Project Cost Estimate. The following estimates are for budgeting purposes only. These figures should not be interpreted as firm, "not to exceed", or actual entitlement costs. These figures are based on the data obtained through occupant interviews, current project scope, replacement site availability, market rent research, and the judgment and experience of the writer. They do not include payments to consultants or to contractors.

	Most Probable Cost	High Estimate
Cost to Permanently Relocate Two Households:	\$60,000.00	\$75,000.00
Cost to Temporarily Relocate One Household:	\$22,000.00	\$28,000.00

Relocation Assistance Program

This portion of the Statement summarizes the City of Tracy's Relocation Assistance Program as it pertains to the occupants displaced from the Property. This summary of benefits has been provided for general information purposes only and it is not meant to be interpreted as law.

Legal Residency

Individuals seeking relocation assistance must certify that he or she is either a citizen, or national of the United States, or an alien who is lawfully present in the United States.

Definition of Terms

This Statement uses various acronyms and terminology that may be unfamiliar to some readers. Therefore, the definitions of various terms and conditions have been presented in this section in order to provide the reader with a greater understanding of the Relocation Assistance Program available to the displaced persons.

Comparable Replacement Dwelling. A definition of a comparable replacement dwelling is a dwelling that is of similar size and type to the acquired dwelling. A more specific definition would include:

- Decent, safe, and sanitary as described below.
- Functionally equivalent to the displacement dwelling. The term "functionally equivalent" means that it performs the same function, provides the same utility, and is capable of contributing to a comparable style of living.
- In an area not subject to unreasonable adverse environmental conditions from either natural or manmade sources.
- Available to all persons regardless of race, color, religion, sex, marital status, or national origin.
- Within the financial means of the displaced person (housing costs do not exceed 30% of the household's average monthly income), either by their own means or through assistance from the City.

Decent, Safe, & Sanitary (DS&S) In order to meet decent, safe and sanitary requirements, a replacement site must meet the following criteria:

- Be structurally sound, clean, weather tight, in good repair, and adequately maintained.

- Contain a safe electrical wiring system adequate for lighting and other devices.
- Contain a safe heating system capable of sustaining a healthful temperature.
- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced persons. This shall be interpreted to mean that no more than two persons shall occupy a bedroom.
- Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.
- Contain unobstructed egress to safe, open space at ground level. If the dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- Be free of any barriers which prevent reasonable ingress, egress, or use of the dwelling by such displaced person.

Displaced Person. Persons who are required to move permanently for the project are displaced persons. These households will be eligible to receive Relocation Advisory Assistance, Moving Cost Assistance, and Replacement Housing Payments.

Persons Not Displaced. A persons who is required to move temporarily from the property is not considered to be a Displaced Person if they are provided reasonable notice, their reasonable out of pocket expenses are covered by the City and they are provided with Decent, Safe and Sanitary temporary replacement housing.

Summary of Benefits for Permanently Displaced Persons

The City has adopted the following Relocation Assistance Program in order to provide eligible displaced person with the benefits to which they are entitled under governing regulations.

- A. Relocation Advisory Assistance.** A Relocation Advisor will work with each household and will be the principal contact in all relocation matters. The Relocation Advisor shall provide ongoing advisory assistance by assisting the occupant in locating and securing a comparable replacement dwelling. In addition, the Relocation Advisor shall ensure that each household receives the following:

1. Each household will receive written documentation informing them of their rights and the availability of relocation assistance.
2. Each household shall be interviewed by their Relocation Advisor in order to ascertain replacement needs. The Relocation Advisor shall request documentation concerning length of occupancy, occupant income, public assistance, and other pertinent information.
3. A Housing Valuation Study will be prepared on the availability of replacement housing in the area. Consideration will be given to the condition of the dwellings and whether or not they compare favorably to the Property. A determination will then be made as to the reasonable cost for each type of comparable replacement dwelling needed. Each household will then receive a Conditional Entitlement Letter that will explain the specific relocation benefits to which they are entitled.
4. The development of this project shall be so scheduled that no displaced person lawfully occupying the Property shall be required to move from their dwelling without a written 90 days' notice from the City of the date by which such a move is required. The 90-Day Notice to Vacate will also include a list of referrals to available replacement sites in the area. The Relocation Advisor shall also inform each household of the vacate policies that will be pursued in order to carry out the project.
5. Each household shall receive current and continuing information on the availability of comparable replacement sites in the area.
6. A Relocation Advisor will work with each household as a liaison with prospective landlords, realtors, and the City. The Relocation Advisor shall provide documentation to prospective landlords concerning Replacement Housing Payments. In addition, the Relocation Advisor shall help each household complete relocation claims that will be submitted to the City. The Relocation Advisor shall also coordinate delivery of relocation payments to the households or to their assignee.
7. Should a household have a grievance against the City in regards to relocation policies and procedures, the Relocation Advisor will provide the household with information concerning the City's grievance procedures.
8. The Relocation Advisor shall inspect the replacement site for each household to ensure that the unit meets decent, safe, and sanitary standards.
9. The Relocation Advisor shall provide any services required to ensure that the relocation process does not result in different or separate treatment of occupants on account of race, color, religion, national origin, sex, marital status, or other arbitrary circumstances.

10. The Relocation Advisor shall provide referrals to other local assistance programs to the households in order to minimize their hardships. When needed, referrals to housing, finance, employment, training, health and welfare, and other assistance programs will be provided.

B. Moving Cost Assistance Each household is entitled to receive a moving payment from the City to move their personal property to their replacement home. Each household may elect one of the two options for cost reimbursement as outlined below or a combination of the two options:

Fixed Moving Expense and Dislocation Allowance. A household may choose to move their own personal property to the replacement site and to submit a claim based on the following Moving Expense and Dislocation Allowance Schedule published by the Code of Federal Regulations.

Occupant owns Furniture - Number of Rooms of Furniture									Occupant does not own furniture	
1 Room	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	Additional room	1 room no furn.	Addt' room/ no furn.
\$725	\$930	\$1,165	\$1,375	\$1,665	\$1,925	\$2,215	\$2,505	\$265	\$475	\$90

Actual Reasonable Moving Costs and Related Expenses. The City will pay actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. The City will pay all reasonable costs to pack, move, and unpack all personal property up to 50 miles from the displacement site. The City can make a direct payment to the professional moving carrier under this option. The City will allow reimbursement to the household for any one-time utility reconnection fees, such as phone, gas, electric, and cable.

C. Replacement Housing Payments for Permanently Displaced Persons. A Rent Differential Payment up to \$7,200 is available to assist tenants in either renting or purchasing a replacement dwelling. To be eligible, a tenant must have been living in the acquired dwelling at the initiation of negotiations between the City and the property owner, and he/she must rent or purchase and occupy a decent, safe, and sanitary replacement dwelling within 12 months after moving.

The assistance needed for one month is determined by subtracting the "base monthly rent" for the present home from the cost of rent and utilities for the 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 of the Rent Differential Payment. This amount will be paid directly to the tenant or to the tenant's designee. The City will provide

the assistance in a lump sum, monthly installments, or other periodic payments. Generally, the base monthly rent for the present home is the lesser of: (1) the monthly rent and average monthly cost for utilities, or (2) thirty (30%) percent of the gross monthly household income if the household is determined to be Low Income by the U. S. Department of Housing and Urban Development's Annual Survey of Income Limits for the Public Housing and Section 8 Programs.

The City will conduct a Housing Valuation Study for each type of housing unit to determine the cost of a comparable replacement dwelling. Each household will receive a Conditional Entitlement Letter that describes all relocation benefits and the maximum Rent Differential Payment to which the household is entitled. The Letter will also explain the “**spend to get**” requirement. The “spend to get” requirement means that benefit payments will be made by the City only when the tenant demonstrates that entitlement amounts have been or will be spent. Rent Differential Payments must be used for reasonable and necessary expenses related to replacement housing.

A Rent Differential Payment when used to purchase a replacement dwelling must be applied to the down payment and/or non-recurring closing costs for a decent, safe, and sanitary replacement dwelling. The City will deposit down payments directly into the escrow account to purchase the replacement property.

The Last Resort Housing Program

Housing of Last Resort is a program that allows for the implementation of certain regulations to ensure that comparable replacement housing is within the financial means of the displaced person. Last Resort Housing is a procedure wherein the City, based upon additional documentation, may exceed the \$7,200 monetary limit to enable a displaced person to rent a comparable replacement dwelling. Several methods to provide Last Resort Housing to qualified displaced persons are available to the City:

1. Provide supplemental funds in excess of the standard limit to allow occupants to replace their current home with an affordable dwelling. All payments are based on the most comparable replacement property as approved in the City's Housing Valuation Studies. As with all other replacement housing payments, occupants must meet spend to get requirements in order to claim payments.
2. Build new replacement housing or rehabilitate existing units or provide funds for private parties to rehabilitate existing units for occupancy by displaced households.

Recommended Action The most flexible of the Last Resort Housing options is for the City to pay Rent Differential Payments in excess of \$7,200 for qualified displaced persons, as necessary.

Since there are adequate replacement dwellings available, building replacement housing units and managing the property is not recommended at this time. It is also highly unlikely that construction of new replacement units could be completed to meet the project's schedule.

A survey of the local housing market indicates that there will be an adequate supply of replacement dwellings available during the expected displacement period. Some of these units, however, would not be affordable to some of the households if the standard relocation payments were made. The recommended course of action is for the City to provide supplemental replacement housing funds to bring the units within the financial means of the displaced person.

Summary of Benefits for Temporarily Displaced Persons

One household will be required to move from the single family residence that they rent for a period not to exceed 12 months. The City will provide this household with benefits that include:

- A. **Relocation Advisory Assistance.** This includes: written notices describing the benefits for Temporarily Displaced Persons; assistance in securing available Decent, Safe and Sanitary temporary housing; assistance in filing claims for all reasonable out of pocket expenses; assistance to return to the impacted dwelling once construction has been completed.
- B. **Moving Assistance.** The City will provide Moving Assistance as described above. The assistance will be offered for the move from the impacted housing and from the temporary housing.
- C. **Reasonable Out of Pocket Expenses.** The City will cover all reasonable out of pocket expenses related to securing Decent, Safe and Sanitary housing that accommodates the persons being displaced.

It is important that the household work closely with the City and their Relocation Advisor to ensure that all costs are reasonable and pre-approved prior to incurring expenses.

Appeal and Grievance Process

If a displaced person believes that a claim has been unfairly administered, the claimant may request review by the Senior Civil Engineer, Development Services Department, or his/her designee. Review may also be brought before the Relocation Appeals Board if the claimant wishes to forego review by the Senior Civil Engineer or is unsatisfied with the Senior Civil Engineer's determination. The Relocation Appeals Board, after holding a hearing, will make a final determination. If still unsatisfied, the claimant may then seek judicial review. Any appeal must be filed within 18 months following the date of displacement.

Eviction Policy

Should the property owner evict an occupant for failure to meet any obligations or for violating the terms and conditions of their lease or rent agreement prior to the City acquiring the Property, then under the applicable relocation law, the evicted tenant(s) will not be considered a "displaced person" and, therefore, will not be eligible for relocation benefits. Eviction will not affect a tenant's eligibility for relocation benefits if a tenant is evicted as a last resort to remove the tenant from the Property.

Claim Processing and Distribution of Payments

All claims are to be filed through a Relocation Advisor. The Relocation Advisor will assist the displaced person in completing their claim forms, will notify each displaced person of the documentation needed in order to file the claim, and will inspect all replacement properties as needed. Each claim will be submitted along with documentation to the City for review and processing. Checks will be available for approved claims within three weeks of the date all documentation is submitted to the Relocation Advisor. Checks will be delivered to the project occupant or to the project occupant's designee. The City shall provide advance payments when necessary to secure replacement housing in a time frame that may be dictated by new landlords and whenever a later payment would result in financial hardship.

Relocation Advisor Contact Information

The Relocation Advisor may be contacted at the following location and during the following times:

Address:	Associated Right of Way Services, Inc. 2300 Contra Costa Boulevard, Suite 525 Pleasant Hill, CA 94523
Phone:	(800) 558-5151 toll free (925) 691-8500 direct (925) 691-6505 fax
Office Hours:	Monday – Friday, 8:30 am – 5:00 pm

Citizen Participation/Statement Review

A draft Statement will be provided to each displaced person and will be made available to the public for the mandatory 30-day review period. Any public comments to this Statement will be included in the Addendum of this Statement for submission for approval before the City of Tracy City Council.

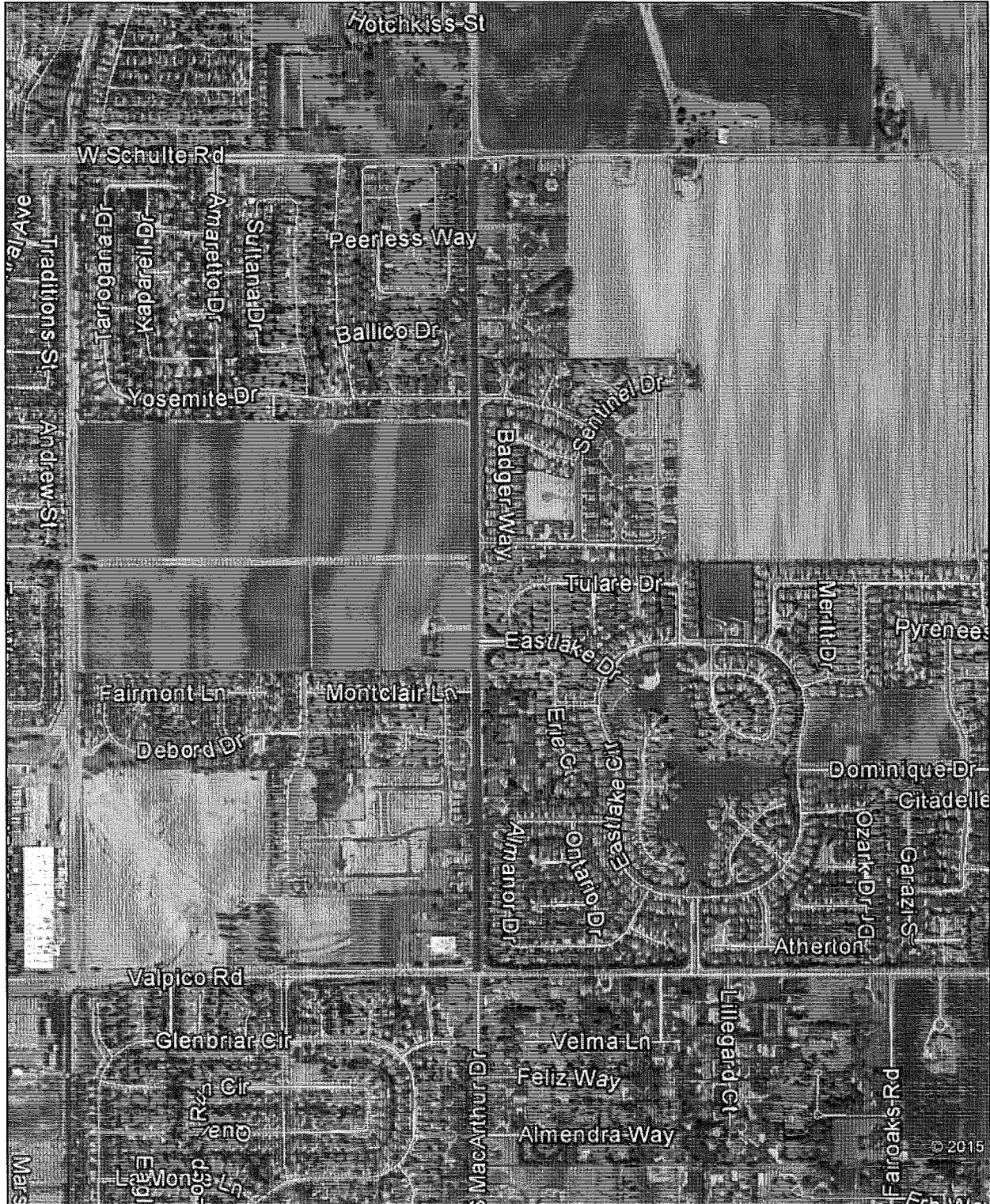
Governing Regulations

This project is being funded by local City and federal funds. Therefore, the City will administer the Relocation Assistance Program in compliance with the statues and regulations established by California Relocation Assistance Law, California Government Code Section 7260 et seq. and the California Relocation Assistance and Real Property Acquisition Guidelines, Title 25, California Code of Regulations, Chapter 6, Section 6000 et seq., and in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act), 42 U.S.C. Sections 4601 et seq., and its implementing regulations, 49 CFR Part 24.

Appendix

- Project Area Map
- Relocation Brochure – Assistance Available to Residential Displaced Persons

Project Area Map



Relocation Brochure

Assistance Available To Residential Displaced Persons

PROVIDED TO YOU AS A COURTESY BY



Summarizing the Government Code of the State of California §7260, *et seq.* and the
California Code of Regulations, Title 25, Chapter 6, Subchapter 1

Relocation Assistance for Residential Displaced Persons

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Relocation Assistance Available to Residential Displaced Persons

Introduction

Government programs designed to benefit the public as a whole often result in the acquisition of private property, and sometimes in the displacement of people from their residences, businesses, non-profit organizations, or farms. When Congress passed the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and amended it in 1987 it recognized the need to balance the right of a public agency to acquire property with the rights of the occupants of the property being affected. The State of California adopted similar laws and regulations that provide for the rights of persons affected by public and publicly assisted projects. The Government Code of the State of California §7260, *et seq.* and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1 outline a public agencies rights and responsibilities to acquire property and to provide Relocation Assistance. This brochure is an attempt to provide you with a summary of those laws and regulations. Certainly, the information provided in this brief brochure cannot provide you with answers to all of the specific questions and situations that might arise in regards to your relocation. Please work with your Relocation Advisor in order to understand how the Relocation Assistance Program relates to your specific relocation.

Please review this brochure carefully and present any questions to your Relocation Advisor. Section 1 of this brochure provides information about Relocation Advisory Assistance. Section 2 contains information for payments that are available to displaced residential occupants. Section 3 provides additional information that is important to understand regarding the Relocation Assistance Program. Section 4 provides a summary.

If you are required to move as a result of a publicly assisted program or project, a Relocation Advisor will contact you and will provide you with assistance. Your Relocation Advisor will answer your specific questions and will provide additional information that you may need to help you to understand the Relocation Assistance Program. If you have any questions regarding this brochure, please contact your Relocation Advisor.

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Important Terms Used in This Brochure

Agency

Relocation Advisory Assistance and Relocation Payments are administered by a public agency responsible for the acquisition of real property and/or the displacement of persons from property to be used for a publicly funded program or project. The public agency may be a State agency, a local agency, such as a county or a city, or a person carrying out a program or project with public financial assistance. A public agency may contract with a qualified individual or firm like Associated Right of Way Services, Inc. to administer the Relocation Assistance Program. However, the public agency remains responsible for the program.

Displaced Person

Any person who moves from real property, or who moves personal property from real property as a direct result of:

(1) a written notice of intent to acquire by a public agency or as a result of the acquisition of real property in whole or in part, by a public agency or by any person having an agreement with or acting on behalf of a public agency, or as the result of a written order from a public agency to vacate the property for public use; or

(2) rehabilitation, demolition or other displacing activity undertaken by a public agency or by any person having an agreement with or acting on behalf of a public agency of real property on which the person is in lawful occupancy or conducts a business, and the displacement, lasts longer than 90 days. This definition includes those persons displaced as a result of a public action where they are displaced as a result of an owner participation agreement or an acquisition carried out by a private person for or in connection with a public use where the public agency is otherwise empowered to acquire the property to carry out the public use.

Program or Project

An activity or series of activities undertaken by a public agency, or an activity undertaken by a public agency with public financial assistance in any phase of the activity.

Unlawful Occupancy

A residential occupant is considered to be in unlawful occupancy if the residential occupant has been ordered to move by a court of competent jurisdiction or if the occupant's tenancy has been lawfully terminated by the owner for cause, the tenant has vacated the premises, and the termination was not undertaken for the purpose of evading relocation assistance obligations.

Comparable Replacement Housing

- Decent, safe, and sanitary.
- Functionally equivalent to your present home.
- Actually available for you to buy or 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.

Decent, Safe, and Sanitary (DS&S)

Certain standards to evaluate the quality of housing where you will move have been established, and any referrals for housing given to you must meet these standards. These standards are referred to as Decent, Safe, and Sanitary, which means it meets all of 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 healthful temperature (at least 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person(s).
- Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.
- Contain unobstructed egress to safe, open space at ground level.
- Be free of any barriers which prevent reasonable ingress, egress, or use of the dwelling by such displaced person.

Any housing which you may find yourself must also meet the above criteria. Please request that the Relocation Advisor make an inspection prior to moving. It is necessary that you move to DS&S housing in order to obtain Replacement Housing Payments.

Section 1 – Relocation Advisory Assistance

A Relocation Advisor will work with each eligible displaced person in order to guide them through the relocation process and to help them to locate decent, safe, and sanitary comparable replacement housing. Relocation services are provided by Associated Right of Way Services, Inc. It is our goal and desire to be of service to you, and to assist you in any way possible to help you successfully relocate. Your Relocation Advisor is available to **help** and to **advise** you, so please make full use of the services offered. Do not hesitate to ask questions to ensure that you fully understand all your rights and benefits.

An individual with a disability will be provided the assistance needed to understand their rights under this program and assistance to locate and to move to comparable replacement housing. Please notify your Relocation Advisor if you need any additional assistance to understand your rights or to secure a replacement site.

When your Relocation Advisor initially contacts you, they will interview you in order to explain the Relocation Program and to understand your individual circumstances. Your Relocation Advisor will also ask you to describe the type of replacement dwelling you are interested in finding. Your Relocation Advisor will explain the assistance and payments that you may claim in accordance with your eligibility. It is important that you explain any anticipated relocation problems to your Relocation Advisor. During the initial interview the Relocation Advisor will ask many questions to determine your specific relocation needs. After the initial interview, your Relocation Advisor will deliver written information regarding your rights as a displaced person and will forward information on available comparable replacement housing as that information becomes available.

Your Relocation Advisor will continue to work with you to help you to plan your relocation to comparable replacement housing. Your Relocation Advisor will help you to understand which costs are compensable under the Relocation Assistance Program and which costs are not. Your Relocation Advisor will also help to determine the need for outside specialists to plan for the move of your personal property.

The goal is to achieve a successful relocation to comparable replacement housing that is decent, safe, and sanitary. Therefore, it is important that you work closely with your Relocation Advisor to evaluate and prepare for the move.

Your Relocation Advisor is also available to provide information to possible sources of funding and assistance from other local, State, and Federal agencies. If you have special problems, the Relocation Advisor will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you. Make your needs known in order to receive the help you need.

Section 2 – Available Relocation Payments

Moving Expenses

If you qualify as a displaced person, you are entitled to reimbursement of moving costs and certain related expenses incurred in moving. Displaced persons may choose to be paid on the basis of: 1) Actual Reasonable Moving Costs and Related Expenses, 2) Fixed Moving Cost Schedule, OR a combination of both, based on individual circumstances.

Actual Reasonable Moving Costs and Related Expenses

If you choose a payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the reasonable costs for:

- a. Transportation of persons and property not to exceed a distance of 50 miles from the site from which displaced, except where relocation beyond such distance of 50 miles is justified.
- b. Packing, crating, unpacking and uncrating personal property.
- c. The cost of disconnecting, dismantling, removing, reassembling, reconnecting and reinstalling personal property including connection charges imposed by public utilities for starting utility service (e.g., telephone and cable TV).
- d. Such storage of personal property, for a period generally not to exceed 12 months, as determined by the City to be necessary in connection with relocation.
- e. Insurance for the replacement value of personal property during the move and necessary storage.
- f. The replacement value of property lost, stolen, or damaged in the move (but not through your neglect) if insurance is not reasonably available.

Your Relocation Advisor 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 please keep all your receipts. Select your mover with care. Your Relocation Advisor can help you select a reliable and reputable mover.

A claim for moving expenses should be submitted to the City as soon as possible after the move, but in no case later than 18 months from the date of the move. Your Relocation Advisor will provide you with these forms and help you fill out your claim.

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

Fixed Moving Cost Schedule

You may choose to be paid on the basis of a fixed moving cost schedule. The amount of the payment is based on the number of rooms in your dwelling. Your Relocation Advisor will be able to tell you the exact amount you will be eligible to receive if you select this option. The schedule is designed to include all of the expenses such as temporary storage, transportation of personal property, and utility hook ups.

Occupant owns Furniture - Number of Rooms of Furniture									Occupant does not own furniture	
1 Room	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	Additional room	1 room no furn.	Addt' room/ no furn.
\$725	\$930	\$1,165	\$1,375	\$1,665	\$1,925	\$2,215	\$2,505	\$265	\$475	\$90

For a complete explanation of all moving cost options, please discuss the matter with your Relocation Advisor.

Replacement Housing Payments for Tenants

Having occupied the property (either as a tenant or an owner) for 90 or more consecutive days immediately preceding the initiation of negotiations between the City and property owner, you may be eligible for a Replacement Housing Payment in the form of a Rent Differential Payment. You may be eligible to receive a Rent Differential for a 42-month period up to \$7,200* to assist you in renting or buying decent, safe, and sanitary housing. This payment is based on any increased rent you might have to pay to obtain comparable replacement housing. 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 City must provide the assistance in a lump sum, 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 adjusted gross monthly household income.

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 30% of your adjusted gross monthly household 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 be eligible for this Replacement Housing Payment:

- You must have lived in the unit 90 consecutive days immediately before the City commenced negotiations with the owner for the purchase of the property;
- You must rent and occupy a decent, safe, and sanitary replacement dwelling within 18 months from the date you vacate the displacement property or you must purchase and occupy a decent, safe, and sanitary replacement dwelling within one year from the date you vacate the displacement property.

- You are residing in a decent, safe, and sanitary private dwelling when the payment is made.
- Your claim for payment is submitted within 18 months of the date you move.

If you decide to purchase a home when you move, the Replacement Housing Payment can be used as a down payment on your new dwelling.

***Note:** See Last Resort Housing

Section 3 – Important Information Regarding Relocation Assistance

Filing of Claims for Payment

All claims filed with the public agency shall be submitted within 18 months of the later of the date on which the property is vacated. Most claims will be paid within three weeks of submission of a fully documented claim for payment.

Relocation Payments are not Considered to be Income

No relocation payment received will 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 (Title 26, U.S. Code) [49 CFR 24.209] or Personal Income Tax Law, Part 10 (commencing with § 17001) of Division 2 of the Revenue and Taxation Code [Gov. Code § 7269].

No relocation payment received will be considered 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.

Appeals and Other Rights

Any aggrieved person may file a written appeal with the head of the public agency if the person believes the public agency has failed to properly determine his or her eligibility for relocation assistance advisory services or the amount of a relocation payment.

If you have a grievance, you will be given a prompt and full opportunity to be heard. You will also have the right to be represented by legal counsel or other representative in connection with the appeal, but solely at your own expense.

The public agency will promptly review your appeal and consider all pertinent justification and information available to ensure a fair and full review. The public agency will provide you with a written determination as well as an explanation of the decision. If you are still dissatisfied with the relief granted, the public agency will advise you of your right to seek judicial review of the public agency decision.

Last Resort Housing

In some instances the basic relocation program, as established by California State law and regulations, does not provide sufficient benefits to adequately rehouse a household. Last Resort Housing is a procedure wherein the City, based upon additional documentation, may exceed the \$7,200 monetary limit to enable a displaced tenant to rent a replacement dwelling. You will be informed if this process applies to you.

Section 4 – Summary

Relocation assistance benefits vary. Benefits are determined based on factors such as individual or family needs, acquisition costs, income status, family size, unit size and type and availability of comparable replacement housing.

Your Relocation Advisor is always available to help you. Please feel free to call whenever you have any questions. You will receive written information and your benefits will be explained to you. If you do locate a new home on your own, please notify your Relocation Advisor as soon as possible before you move.

Important to Know!

- The City will advise you of your eligibility and the amounts you are eligible to receive.
- You must meet occupancy requirements to be eligible for replacement housing payments.
- For tenants, you must occupy your replacement dwelling no later than 18 months following the date you move from the residence.
- To receive payment you must submit a claim form which your Relocation Advisor will give you. Submit these forms no later than 18 months after the date you move from the residence.
- Your new dwelling must be inspected by a representative of the City before the City can make any payments other than for moving costs. Make sure that a DS&S housing inspection is made before you are obligated to buy or rent your replacement housing property.

General Information

This brochure is provided to assist you in understanding your rights and benefits. If you have questions regarding your relocation please contact your Relocation Advisor. Additional information on relocation and acquisition requirements, the law, and the regulation can be found at <http://www.leginfo.ca.gov/calaw.html> and <http://www.dir.ca.gov/dlse/CCR.htm>.

This brochure has been provided to you as a courtesy by the City and Associated Right of Way Services, Inc. It is intended to provide general information concerning the Relocation Assistance Program. Further details regarding relocation assistance and benefits are set forth in the Government Code of the State of California §7260, et seq. and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1. In the event of any conflict, California Law and Regulations shall be controlling. Please contact your Relocation Advisor for additional information regarding the Relocation Assistance Program.



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Addendum

- Comment Received During Circulation Period