RELOCATION PLAN

CITY HEIGHTS SQUARE PROJECT

Prepared for:

The City of San Diego
Redevelopment Agency

By:

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June, 2005

ATTACHMENT 1

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INTRODUCTION

The City of San Diego Redevelopment Agency (the Agency) is proposing to acquire four improved parcels in the City Heights neighborhood of San Diego for a proposed mixed use project known as the City Heights Square project (the Project). The proposed Project development includes construction of a four story, 94,300 sq. ft. retail and office space building; a three story, 30,000 sq. ft. medical office and retail building (which will be the new location for the La Maestra Family Clinic), and; a five story, 151 unit senior residential housing project, restricted for very low-income seniors (which will be developed by Senior Community Centers and Chelsea Investment Corporation). The Project will be funded by Centre City housing Low and Moderate Housing Funds for the City Heights Square Senior Housing Project.

The improved parcels include one commercial fast food restaurant and three single family residential parcels, two of which are occupied. One of the parcels has a single family residence and it is believed there is an occupant in a converted garage, one parcel is a single family residence with the attic converted into a studio (both the home and studio are occupied) and the third parcel is an unoccupied single family residence used as storage. Following through with the Project will require the permanent displacement of the commercial occupant and all residential occupants, triggering relocation assistance obligations under State law (California Government Code Section 7260 et seq). Among those obligations as defined in Section 6038 of the State Relocation Guidelines (California Code of Regulations, Title 25, Chapter 6 et seq.), is the necessity to prepare a relocation plan which addresses the circumstances and needs of individuals potentially displaced by public projects.

The following document (the Relocation Plan) was prepared by Overland, Pacific & Cutler, Inc. (OPC), a professional consulting firm specializing in public agency acquisition and relocation projects. The Relocation Plan provides the results of a needs assessment survey, a housing resource study and details of the Agency's relocation program in conformance with the state law and guidelines. No displacement activities will take place prior to the required reviews and approval of this Relocation Plan.

The Relocation Plan is organized as follows:

1. A description of the Project area generally and the specific Project site;

2. An assessment of the relocation needs of the households which may be displaced as a result of the Project;

3. An assessment as to the availability of comparable replacement housing within the City of San Diego; and,

4. The steps, and procedures the Agency will follow to ensure a satisfactory and thorough relocation program.

A. PROJECT LOCATION

The Project site is located in the City Heights neighborhood of San Diego bound by University Avenue to the south, Polk Avenue to the north, 43rd Street to the west and Fairmount Avenue to the east. Regional and site-specific maps for the proposed project are shown in **Attachment 1** to the Relocation Plan.

B. ASSESSMENT OF NEEDS

The Project includes one commercial occupant and four residential households. Interviewers were successful in obtaining interviews from three of the four residential households. Attempts to interview the one unresponsive occupant included; two letters requesting survey information and an appointment to conduct survey and leaving contact cards requesting an appointment placed at the occupants residence. The survey period was conducted from mid May 2005 through late June 2005.

Survey data concerning the residential occupants were obtained from personal interviews conducted at the subject properties by a field representative from OPC. The premises were physically inspected and information was obtained regarding household size and income, current rent, health issues, and potential relocation preferences. Survey responses were anecdotal and no attempt was made verify survey responses. General demographic information was recorded as required. A table is attached providing a summary profile of household characteristics and needs **(See Attachment 2)**.

Based on the survey responses, the Project population consists of seven adults and three minors. Occupied Project residences include one studio and two two-bedroom single family residence. Project rents from the responsive households were reported as $650 through $1,200 dollars per month. Project household incomes are considered lower, very low and extremely low compared with the current HUD standards for San Diego County (**See Attachment 3** for 2005 HUD Annual Median Income Limitations-San Diego County). Project ethnicity was reported as Hispanic and English is the primary language in two households and Spanish is the primary language in one household. There are no seniors in the Project population and one resident is disabled with autism. With regard to relocation preferences, the households would prefer to remain in the current area.

Information regarding the unresponsive household and the unoccupied property were obtained from secondary sources including; a neighbor's testimony and a property description from the appraisal report. Based on the appraisal report, the unoccupied property is a two-bedroom single family residence and the occupied property is a small (219 sqft.) garage converted into a living space. Based on information from a neighbor the converted garage is occupied by a two adults. No other information is know about these households.

C. REPLACEMENT HOUSING RESOURCES

A resource survey was undertaken during June 2005 to identify available comparable, decent, safe and sanitary replacement housing in close proximity to the Project site. The following resources were used to conduct the survey: classified rental listings from the San Diego Union Tribune, internet sources and property management companies.

The replacement housing survey identified 27 replacement two-bedroom single family residences with rents ranging from $900 to $1,600 per month with a median rent of $1,200. The housing survey identified 29 studios with rents ranging from $595 to $825 per month with a median rent of $655.

D. CONCURRENT RESIDENTIAL DISPLACEMENT

There are no other known projects currently underway that will compete for similar replacement housing in the City Heights area of San Diego.

E. TEMPORARY HOUSING

There is no anticipated need for temporary housing.

F. Loss of Business Goodwill

Business goodwill consists of the benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality, and any other circumstances resulting in probable retention of old, or acquisition of new patronage. Where claims for loss of business goodwill are anticipated, State law (California Code of Civil Procedure Section 1263.510) requires business owners to prove all of the following:

(1) The loss is caused by the taking of the property;

(2) The loss cannot reasonably be prevented by relocation of the business, or by taking steps and adopting procedures that a reasonably prudent person would take to preserve the goodwill; and,

(3) The compensation for the loss has not been included as a relocation payment, or duplicated in compensation otherwise awarded to the owner.

Claims for loss of business goodwill are considered under the acquisition provisions of Government Code Section 7260 et seq. and are not compensable as a function of the relocation assistance program.

G. PROGRAM ASSURANCES AND STANDARDS

Adequate funds are and will be made available to accommodate the payment of all required relocation benefits. The relocation program will be monitored 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; the Unruh Act; as well as any other arbitrary or unlawful discrimination.

The relocation program to be implemented by the Agency will conform with the applicable standards and provisions as set forth in state law. The overall relocation process will include a household relocation interview; needs analyses; searching for appropriate replacement accommodations; preparation and service of Notices-of-Eligibility and Notices-to-Vacate; file documentation, claim review, filing of claims for payment; moving coordination; and general counseling.

H. RELOCATION ASSISTANCE PROGRAM

The Agency will provide displacees the assistance, rights and benefits required under State relocation law and the relocation guidelines. The relocation program will provide both advisory and financial assistance. Every effort will be made to facilitate relocation arrangements and minimize hardships for displacees.

ADVISORY ASSISTANCE

Advisory assistance services are intended to inform displacees about the Agency's relocation program, help in the process of finding appropriate replacement accommodations, facilitate claims processing, maintain a communication link with the Agency and coordinate the involvement of outside service providers.

To follow through on the advisory assistance component of the relocation program and assure that the Agency meets its obligations under the law, relocation staff will perform the following functions:

1. Distribute written information concerning the Agency's relocation program to each residential and commercial displacee (See **Attachment 4**);

2. Personally inform all displacees of the nature of and procedures for obtaining available relocation assistance and benefits;

3. Determine the eligibility, needs and relocation preferences of each residential and commercial displacee;

4. Provide residential displacees with three referrals, if possible, to comparable, decent, safe and sanitary replacement housing within a reasonable time prior to displacement;

5. Maintain a database of available housing resources and distribute replacement site referrals for the duration of the Project;

6. Provide transportation to displacees, if requested, to inspect replacement sites within the local area. Offer special assistance to help elderly residents find housing near friends, relatives, medical facilities and services and convenient transportation;

7. Make referrals to governmental and non-governmental service providers such as:
   (a) The Social Security Administration
   (b) City of San Diego Housing and Public Service Programs
   (c) The Fair Housing Council of San Diego

8. Assist each eligible displacee with the preparation and submission of relocation assistance claims;

9. Assist residential displacees with arrangements necessary to rent or purchase comparable decent, safe and sanitary replacement housing;

10. Make benefit determinations and payments in accordance with applicable law and Agency policy;

11. Assure that no displacee is required to move without a minimum of 90 days written notice to vacate;

12. Inform all persons subject to displacement of the Agency's policies with regard to eviction and property management;

13. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the Agency's decisions with respect to relocation assistance; and

14. Provide assistance that does not result in different or separate treatment due to race, color, religion, national origin, sex, marital status or other arbitrary circumstances.

RELOCATION BENEFITS - RESIDENTIAL OCCUPANTS

Relocation benefits will be provided in accordance with the provisions of the state relocation law and regulations. Benefits will be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with the Agency's normal administrative procedures.

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

Agency staff will process advance payment requests in order to alleviate hardships for tenants who do not have access to sufficient funds to pay move-in costs such as first month's rent and/or security deposits. Requests for advance payments will be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

1. Residential Moving Expense Payments

All residential displacees will be eligible to receive a payment for moving expenses. Moving expense payments will be based either on the actual cost of a professional move or a fixed payment amount determined by room count.

a. Actual Cost (Professional Move)

Displacees may elect to retain the service of a professional mover. The cost of professional moving services will be based on the lower of at least two acceptable bids obtained from licensed, professional movers. The Agency may also obtain bids, at its own discretion, in order to determine the most qualified low-bidder for the move. The Agency will make direct payment to the selected mover, if requested, or provide reimbursement upon presentation of appropriate documentation substantiating the move.

Compensable moving elements include packing, transportation, un-packing and insurance. Transportation costs beyond 50 miles are not eligible, unless the Agency determines that relocation beyond 50 miles is justified. In addition to payment for the actual move, one-time re-connection fees related to gas, water, electricity, telephone, internet and television service, are eligible for reimbursement. Deposits required by utility and other residential service providers are not eligible for reimbursement.

b. Fixed Payment (Room Count Schedule Method)

As an alternative to a professional move, a residential displacee may elect to receive a fixed payment for moving expenses based on the number of furnished or unfurnished rooms in the displacement dwelling. Residential displacees who elect to receive a fixed payment assume full responsibility for the move including the expense of utility re-connections described in (**a**), above. The current schedule for fixed moving payments is set forth in **Table 1**:

TABLE 1: Schedule of Fixed Moving Payments

Unfurnished Dwelling									
Room Count	1	2	3	4	5	6	7	8	each additional
Amount	$625	$800	$1,000	$1,175	$1,425	$1,650	$1,900	$2,150	$225

Furnished Dwelling		
Room Count	1	each additional
Amount	$400	$65

Source: California Department of Transportation

2. Rental Assistance To Tenants Who Choose to Rent

A tenant displaced from a dwelling may be entitled to a Replacement Housing Payment in the form of rental or downpayment assistance not-to-exceed $5,250, prior to consideration of eligibility for Last Resort Housing benefits (see Last Resort Housing this Section, Paragraph 5), if the displacee:

(1) Has actually and lawfully occupied the displacement dwelling as a permanent or customary and usual place of abode for not less than 90 days immediately prior to the initiation of negotiations; and

(2) Has rented, or purchased, and occupied a decent, safe, and sanitary replacement dwelling within 1 year (unless the Agency extends this period for good cause) after the date he or she moves from the displacement dwelling.

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

(I) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or

(ii) The monthly rent and estimated average monthly cost of utilities for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person; or

(iii) The total of the amount designated for shelter and utilities if receiving a welfare assistance payment from a program that designated the amounts for shelter and utilities.

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

(I) The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period prior to displacement, as determined by the Agency; or,

(ii) Thirty percent (30%) of the displacee's average gross household income. If a displacee refuses to provide appropriate evidence of income or is a dependent, the base monthly rental shall be determined to be the average monthly cost for rent and utilities at the displacement dwelling. A dependent is defined as an individual or household receiving 50% or more of household income from gifts from another person, academic scholarships or stipends.

Table 2 below illustrates how a rental/downpayment assistance is calculated.

TABLE 2: Computation of Rental Assistance Payments		
1. Old Rent	$650	Old Rent, plus Utility Allowance
	or	
2. Ability to Pay	$700	30% of the Gross Household Income*
3. Lesser of lines 1 **or** 2	**$650**	
Subtracted From:		
4. Actual New Rent	$750	Actual New Rent including Utility Allowance
	or	
5. Comparable Rent	$775	Determined by Authority; includes Utility Allowance
6. Lesser of lines 4 **or** 5	**$750**	
7. Yields Monthly Need:	**$100**	Subtract line 3 from line 6
Rental Assistance	**$4200**	**Multiply line 7 by 42 months**

* Gross income means the total annual income of an individual less the following: (1) a deduction of $500 for each dependent in excess of three; (2) a deduction of 10% of total income for the elderly or disabled head of household; (3) a deduction for recurring extraordinary medical expenses defined for this purpose to mean medical expenses in excess of 3% of total income, where not compensated for, or covered by insurance or other sources; (4) a deduction of reasonable amounts paid for the care of children or sick or incapacitated family members when determined to be necessary to employment of the head of household or spouse, except that the amount deducted shall not exceed the amount of income received by the person who would not otherwise be able to seek employment in the absence of such care.

3. Downpayment Assistance To Tenants Who Choose to Purchase

Residential displacees eligible to receive a rental assistance payment, may choose to utilize up to the full amount of their rental assistance eligibility (including any Last

Resort benefits) to purchase a replacement dwelling, provided that the entire eligibility amount is used toward the downpayment and eligible incidental closing costs. In the case of Downpayment Assistance claims, the Agency will arrange for the deposit of the total rental assistance eligibility amount in an open escrow account conditioned by contractual provisions that assure the prompt return of all Agency provided funds in the event escrow is cancelled by either party or should fail to close within a reasonable period of time.

4. Last Resort Housing

A displaced tenant household will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed replacement housing assistance eligibility exceeds $5,250 or when a low-income tenant fails to meet the 90-Day occupancy requirement. Calculation of Last Resort rental assistance benefits for tenants who fail to meet 90-Day occupancy requirements will be based solely on household income. Non 90-Day qualifiers must meet basic eligibility requirements applied to all other displacees. Residential owner-occupants are also entitled to Last Resort Housing Assistance in the event the computed Replacement Housing Payment exceeds $22,500.

The Agency, at its discretion, may opt to pay Last Resort rental assistance payments on a periodic basis. Recipients of Last Resort rental assistance who intend to purchase rather than re-rent replacement housing, will have the right to request a lump sum payment of all benefits in the form of downpayment assistance. Tenant households receiving periodic payments will have the option to request a lump sum payment of remaining benefits to assist with the purchase of a decent, safe and sanitary dwelling.

5. Payments To Non-Tenured Residential Tenants

With the exception of those eligible for Last Resort Housing assistance (See Section IV, Part F - Last Resort Housing), residential tenants with less than 90 days of continuous occupancy prior to the District's acquisition of the property, will only be eligible to receive a moving expense payment in accordance with Section 1b above.

RELOCATION BENEFITS - COMMERCIAL TENANTS

Eligible businesses and non-profit organizations are entitled to select: 1) compensation for actual reasonable and necessary moving and related expenses, or 2) a payment in lieu of actual reasonable moving and related expenses not to exceed $20,000.

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

This payment may include the following costs:

- Transportation of persons and property from the present location to the replacement location (costs are limited to a distance of 50 miles);
- Packing, crating, uncrating, and unpacking personal property;
- Disconnecting, dismantling, removing, reassembling, and installing relocated and substitute machinery, equipment and other personal property. Includes connection to utilities available nearby and modifications necessary to adapt such property to the replacement structure or to the utilities or to adapt the utilities to the personal property;
- Storage of personal property for up to 12 months, at the District's discretion;
- Insurance of personal property while in storage or transit and the replacement value of property lost, stolen, or damaged (not through the fault or negligence of the displaced person) in the process of moving, where insurance is not readily available;
- Subject to certain limitations, any license, permit, or certification required by the displaced business, to the extent that the cost is necessary for reestablishment at the replacement location;
- Subject to certain limitations, reasonable and pre-authorized professional services, including architects', attorneys', engineers' fees, and consultants' charges, necessary for: (1) planning the move of the personal property; (2) moving the personal property; or, (3) installing the relocated personal property at the replacement location

- Subject to certain limitations, the purchase and installation of substitute personal property limited to the lesser of: (1) the estimated cost to move the item to the replacement location; or, (2) the replacement cost, less any proceeds from its sale;

- Subject to certain limitations, modifying the machinery, equipment or other personal property to adapt it to the replacement location or to utilities available at the replacement location or modifying the power supply;

- Actual direct losses of tangible personal property resulting from moving or discontinuing a business or non-profit organization, not-to-exceed the lesser of: (1) the fair market value of the property for continued use at its location prior to displacement; or, (2) an amount equal to the reasonable expenses that would have been required to relocate the property, as determined by the District, subject to certain limitations;

- Actual and reasonable expenses incurred in searching for a replacement business or non-profit organization location, not-to-exceed $1,000, and including compensation for transportation expenses; time spent searching for a reasonable location; meals; lodging; and, real estate broker or agent fees.

- A Reestablishment allowance of up to $10,000, available to farms, nonprofit organizations and small businesses with no more than 500 employees. Reestablishment allowance payments are made in addition to compensation provided for actual, reasonable and necessary moving expenses. Reestablishment allowance expense categories include but are not limited to:

  1) Repairs or improvements to the replacement property as required by Federal, State or local law, code or ordinance

  2) Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting business

  3) Construction and installation costs for exterior signing to advertise the business

4) Provision of utilities from right-of-way to improvements on the replacement site

5) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint paneling or carpeting

6) Licenses, fees and permits when not paid as part of moving expenses

7) Feasibility surveys, soil testing and marketing studies

8) Professional services in connection with the purchase or lease of a replacement site

9) Estimated increased costs of operation during the first 2 years at the replacement site for such items as:

a. Lease or rental charges
b. Personal or real property taxes
c. Insurance premiums, and
d. Utility charges, excluding impact fees

10) Impact fees or one-time assessments for anticipated heavy usage

11) Other items essential to the reestablishment of the business

2. A Fixed Payment In Lieu of A Payment For Actual Reasonable Moving and Related Expenses

The option to claim a fixed payment enables both for-profit and non-profit businesses to receive compensation for moving expenses without supplying documentation of bids and expenses. The payment amount available to any individual business is based on an average of annual net earnings over a two year period. For businesses which have not been in operation for two years, income figures can be annualized. The method for establishing income is through tax returns and/or certified financial statements. The payment to an eligible business or non-profit organization may not be less than $1,000, nor more than $20,000.

To qualify for this payment a displaced business:

- Cannot be a part of a commercial enterprise having at least three other establishments which are not being acquired by the District, and which is under the same ownership and engaged in the same or similar business activities; and

- Must not be able to relocate without substantial loss of patronage; and,

- Must have contributed at least 33 ⅓ percent of the owner's total gross income during each of the 2 taxable years prior to displacement or meet specific earnings criteria

GENERAL INFORMATION ON PAYMENT OF RELOCATION BENEFITS

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 the 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 sent to relocation personnel and delivered to claimants;

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.

I. RELOCATION TAX CONSEQUENCES

In general, relocation payments are not considered income for the purpose of the Internal Revenue Code of 1968, or the Personal Income Tax Law, Part 10 of the Revenue and Taxation Code. The above statement on tax consequences is not intended to be provision of tax advice by the Agency. Displacees are responsible for consulting with their own tax advisors concerning the tax consequences of relocation payments.

J. GRIEVANCE PROCEDURES

All grievances will be heard by the Agency following standards described in Article 5, Section 6150 et seq., Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines.

Displacees will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, the amount of payment, the failure to provide comparable replacement housing referrals or the Agency's property management practices.

K. EVICTION POLICY

1. Under the State of California guidelines, eviction by the Agency is permissible only as a last alternative with the exception of persons considered to be in unlawful occupancy. A displaced person's eviction does not affect eligibility for relocation assistance and benefits. Relocation records must be documented to reflect the specific circumstances surrounding the eviction.

2. Eviction may be undertaken only for one or more of the following reasons:

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 a 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;

f) A requirement under State or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the public entity.

L. CITIZEN PARTICIPATION

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

1. Provide affected tenants with full and timely access to documents relevant to the relocation program;

2. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;

3. Issuance of a general notice in English and/or Spanish, as needed, concerning the availability of the Plan for public review, as required, 30 days prior to its proposed adoption. Distribution of the Plan, upon request, to all affected and interested parties;

4. The inclusion of written or oral comments concerning the Plan as an attachment to the Plan when it is forwarded to the City Council for adoption.

M. PROJECTED DATES OF DISPLACEMENT

The Agency anticipates that site displacement will begin September 2005 and the site ready for construction by December 2005.

N. ESTIMATED RELOCATION COSTS

The total budget estimate for relocation-related payments for the Project, which includes a ten percent contingency, is as follows:

$166,000.00

Estimate includes relocation-related payments for the displaced households (including the unresponsive household) and the commercial business.

The estimated relocation budget makes no provision for the relocation of any other tenants - residential or business - from the site; nor does the estimated relocation budget include any funds which may be disbursed to property owners for acquisition or relocation administrative costs or provision of any other services necessary for implementation of the Project.

If the Project is implemented and circumstances arise that should increase the number of residential tenants or business occupants to be displaced (and therefore made eligible for relocation benefits), the Agency will amend this Plan and authorize any additional, compensable funds which may need to be appropriated. The Agency pledges to appropriate, in a timely manner, the funds necessary to ensure the successful completion of the relocation phase of the Project.

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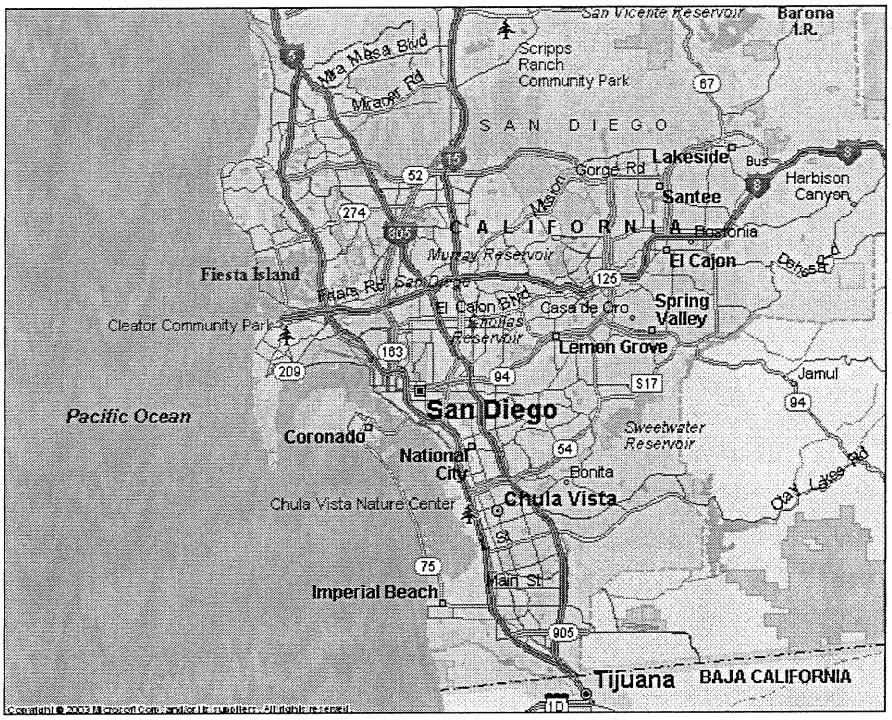
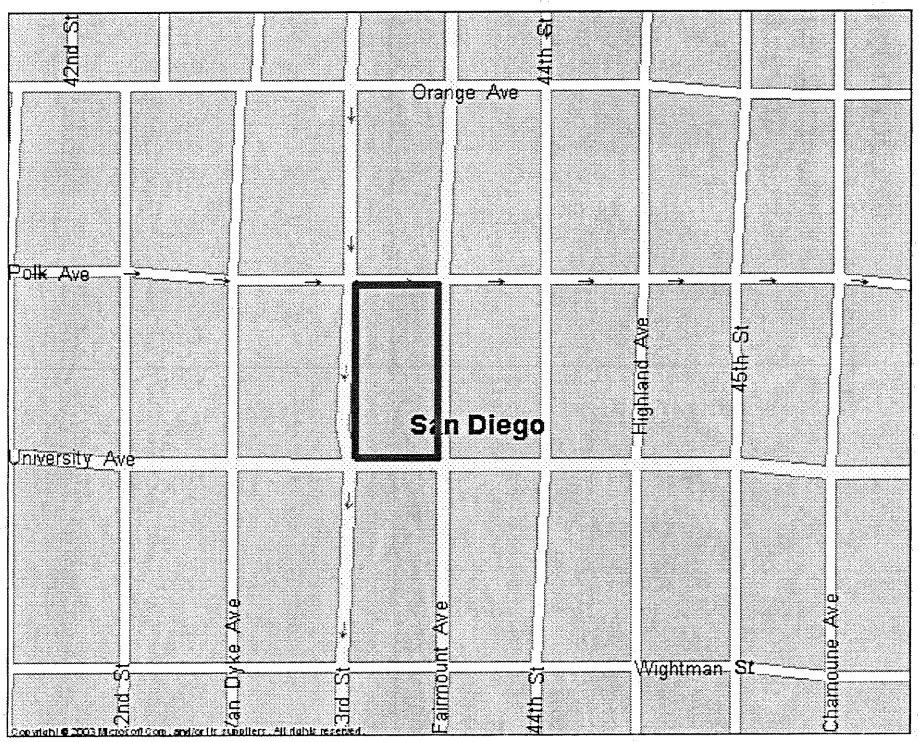
Attachment 5:	**Informational Statement for Displaced Businesses**
Attachment 6:	**Fixed Payment Moving Schedule**
Attachment 7.	**Computation of Rental Assistance Payments (RAP)**
Attachment 8:	**Summary of Public Comments on The Relocation Plan and Agency Response (Pending)**

ATTACHMENT 1
PROJECT SITE MAPS



Regional Location



Project Site Location

ATTACHMENT 2

RELOCATION PLAN
REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO
CITY HEIGHTS SQUARE PROJECT
PROJECT CHARACTERISTICS*

House holds	Income: Extremely Low, Very Low, Lower, Moderate	No. of Adults	No. Of Minors	Persons with Disabilities (Number)	No. Of Seniors	Permanent or Temporary Displacement	replacement housing needs	Overcrowded Households	Primary Language
4	1-Ext. Low 1-Very Low 1-Lower 1-unknown	9	3	1	0	Permanent	2 - two-bdrm SFR 2 - studios	0	2-English 1-Spanish 1-unknown

*information from surveys and secondary sources

ATTACHMENT 3

HUD ANNUAL MEDIAN INCOME LIMITATIONS - SAN DIEGO COUNTY (2005)

Below are the current income standards as established by the Federal Department of Housing and Urban Development (HUD) for San Diego County, as adopted by the State of California Department of Housing & Community Development (HCD) on February 25, 2005.

HUD ANNUAL INCOME LIMITS BY CATEGORY - SAN DIEGO COUNTY (2005)
Area Median (four persons): $63,400

Family Size	Extremely Low Income	Very Low Income	Lower Income	Median Income	Moderate Income
One Person	14,500	24,150	38,650	44,400	53,250
Two Person	16,550	27,600	44,150	50,700	60,900
Three Person	18,650	31,050	49,700	57,050	68,500
Four Person	20,700	34,500	55,200	63,400	76,100
Five Person	22,350	37,250	59,600	68,450	82,200
Six Person	24,000	40,000	64,050	73,550	88,300
Seven Person	25,650	42,800	68,450	78,600	94,350
Eight Person	27,300	45,550	72,950	83,700	100,450

ATTACHMENT 4
INFORMATIONAL STATEMENT
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. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS
VI. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS
VII. LAST RESORT HOUSING ASSISTANCE
VIII. RENTAL AGREEMENT
IX. APPEAL PROCEDURES - GRIEVANCE
X. TAX STATUS OF RELOCATION BENEFITS
XI. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

I. GENERAL INFORMATION

The building in which you now live is in an area to be improved by the **Redevelopment Agency of the City of San Diego** (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. **This is <u>not</u> a notice to vacate** and *does not* establish eligibility for relocation payments, or other relocation assistance. Should the project proceed and the Agency acquires the property and you are displaced as a result, you *may* be eligible for relocation assistance.

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

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

OVERLAND, PACIFIC & CUTLER, INC.
3170 4TH AVE. SUITE 200
SAN DIEGO, CA 92103
PHONE: 619.688.7980

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

PLEASE <u>DO NOT</u> MOVE PREMATURELY. THIS IS <u>NOT</u> 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 to which you may be entitled. 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.

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 nevertheless 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 and 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 a self-furnished 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.

Schedule of Fixed Moving Payments	
Unfurnished Dwelling	
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
Furnished Dwelling	
First room	$400.00

Each additional room	**$65.00**

If you select a fixed payment, you will be responsible for arranging 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 a 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, your rental assistance benefits will be based upon the difference over a 42 month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or 30% of your gross monthly household income. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment. Generally, residential rental tenants in possession of HUD Section 8 Vouchers will not qualify for a residential assistance payment as their rent costs are adjusted to 30% of monthly household income and are, therefore, "affordable" by definition.

- 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 any rental assistance payment toward the down-payment and non-recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

V. 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.

VI. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, the Agency will provide 'Last Resort Housing' assistance to enable you to rent or purchase a replacement dwelling on a timely basis.

Last Resort housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

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

VII. 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 some period of 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 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 by tenant to pay rent; except in those cases where the failure to pay is due to Agency'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, by tenant, of dangerous and/or illegal act in the unit or upon the property;

C. Material breach of the rental agreement by tenant, and failure to correct breach within 30 days of notice;

D. Maintenance of a nuisance by tenant, and failure to abate within a reasonable time following notice;

E. Refusal of tenant to accept one of a reasonable number of offers of replacement dwellings;

F. The eviction of tenant is required by State, or local law and cannot be prevented by reasonable efforts on the part of the lessor Agency.

VIII. 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.

IX. TAX STATUS OF RELOCATION BENEFITS

Relocation benefit payments are *not* considered as income for the purpose of the Internal Revenue Code of 1986 or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11(commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Nevertheless, you should consult with a personal tax adviser for the most recent interpretation of tax law.

X. 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.

Overland, Pacific & Cutler, Inc.

ATTACHMENT 5
INFORMATIONAL STATEMENT
FOR
DISPLACED BUSINESSES

INFORMATIONAL STATEMENT FOR BUSINESSES, NONPROFIT ORGANIZATIONS AND FARMS

Introduction

The property on which you now conduct your business is in an area to be improved with the assistance of the Redevelopment Agency of the City of San Diego (the Agency). The Agency's plans require the acquisition of several land parcels and the relocation of existing commercial uses. 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 the federal and/or state law. We suggest you save this informational statement for reference.

This is not a notice to move. It is important that you do not move before you learn what you must do to receive relocation payments and other assistance to which you may be entitled. The Agency has retained the services of Overland, Pacific & Cutler, Inc. (OPC), 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.
3170 4th Avenue, Suite 200
San Diego, CA 92103
Telephone: (619) 688-7980

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

Summary of Relocation Assistance

As an eligible displaced person, you will be offered appropriate financial and advisory assistance to help you relocate, including:

A. Payment for your moving expenses. You will receive either:

- A Payment for Actual Reasonable Moving and Related Expenses, or
- A Fixed Payment In Lieu of a Payment for Actual Moving and Related Expenses

B. Referrals to suitable replacement locations.

C. Other help to reestablish your business and minimize the impact of the move including help in preparing claim forms to request relocation payments.

If you disagree with the Agency's decision as to your right to a relocation payment, or the amount of the payment, you may appeal that decision.

SOME GENERAL QUESTIONS

How will I know I am eligible for relocation assistance?

You should receive a written notice explaining that you are eligible for relocation assistance. Ordinarily, eligibility begins on the date the owner of the property receives the Agency's initial written offer to purchase it. Therefore, you should not move before that date. If you do, you may not be eligible for relocation assistance.

How Will the Agency Know How Much Help I Need?

You will be contacted at an early date and personally interviewed by a representative of the Agency to determine your needs and preferences for a replacement location and other services. The interviewer will ask questions about such matters as your space requirements. It is to your advantage to provide the information so that the Agency can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

How Soon Will I Have to Move?

Every reasonable effort will be made to provide you with sufficient time to find and reestablish your business in a suitable replacement location. If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for the property (e.g., your occupancy would present a health or safety emergency), you will not be required to move without at least 90 days advance written notice. It is important, however, that you keep in close contact with the Agency so that you are aware of the time schedule for carrying out the project and the approximate date by which you will have to move.

I Own The Property, Will I Be Paid For It Before I Have To Move?

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

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

You may be required to pay a fair rent to the Agency for the period between the acquisition of your property and the date that you move. The rent will not exceed that charged for the use of similar properties in similar areas, however, rent is generally the same as in the prior arrangement.

How Will I Find A Replacement Location?

The Agency will provide you with current and continuing information on available replacement locations that meet your needs. The Agency may also provide you with the names of real estate agents and brokers who can assist you in finding the type of replacement location you need. While the Agency will assist you in obtaining a suitable replacement location, you should take an active role in finding and relocating to a location of your choice. No one knows your needs better than you. You will want a facility that provides sufficient space for your planned activities. You will also want to assure that there are no zoning or other requirements which will unduly restrict your planned operations. Ask the Agency to explain which kind of moving costs are eligible for repayment and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

What Other Assistance Will be Available To Help Me?

In addition to help in finding a suitable replacement location, other assistance, as necessary, will be provided by the Agency. This includes information on Federal, State, and local programs that may be of help in reestablishing a business. For example, the Small Business Administration (SBA) provides managerial and technical assistance to some businesses. There may also be a government grant or loan program which can help you reestablish your business. The Agency will assist you in applying for help available from government agencies. The range of services depends on the needs of the business being displaced. You should ask the Agency representative to tell you about the specific services that will be available to you.

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

Before you make any arrangements to move, notify the Agency, in writing, of your intention to move. This should be done at least 30 days before the date you begin your move. The Agency will discuss the move with you and advise you of the relocation payment(s) for which you may be eligible, the requirements to be met, and how to obtain a payment.

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

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

What Payment For Moving Expenses will I receive?

Every business is entitled to a relocation payment to cover the reasonable cost of moving. You may choose either:

A. A Payment For Actual Reasonable Moving and Related Expenses, or
B. A Fixed Payment In Lieu of Moving and Related Expenses (if you meet the eligibility requirements).

What is Payment For Actual Reasonable Moving And Related Expenses?

If you choose a Payment For Actual Reasonable Moving And Related Expenses, you may claim the cost of:

A. Transportation of personal property from your present location to the replacement location. (Generally, transportation costs are limited to a distance of 50 miles. If you plan to move beyond 50 miles, discuss your planned move with the Agency.)

B. Packing, crating, uncrating, and unpacking personal property.

C. Disconnecting, dismantling, removing, reassembling, and installing relocated and substitute machinery, equipment and other personal property. This includes connection to utilities available nearby and modifications necessary to adapt such property to the replacement structure or to the utilities or to adapt the utilities to the personal property. This includes alterations to the replacement structure required to reinstall machinery, equipment or other personal property

D. Storage of personal property for a reasonable period of time, if required.

E. Insurance of personal property in connection with the move and required storage. And the replacement value of property lost, stolen, or damaged in the process of moving where insurance is not readily available.

F. Any license, permit or certification required by the displaced business, to the extent that the cost is (1) necessary to its reestablishment at the replacement location and (2) does not exceed the cost for the remaining useful life of the existing license, permit, or certification.

G. Reasonable and preauthorized professional services, including architect's, attorney's, and engineer's fees, and consultant's charges, necessary for (1) planning the move of the personal property, (2) moving the personal property, or (3) installing the relocated personal property at the replacement location.

H. Relettering signs, printing replacement stationery made obsolete by the move and customer notifications.

I. The reasonable cost incurred in attempting to sell an item that is not relocated.

J. Actual direct loss of personal property. This payment provides compensation for property that is neither moved nor promptly replaced with a "substitute item" at the replacement location. Payment is limited to the lesser of: (1) the estimated cost of moving the property or (2) the fair market value of the property for its continued use at the old location, less any proceeds from its sale. To be eligible, you must make a good faith effort to sell the property, unless the Agency determines that such effort is not necessary.

K. Purchase and installation of substitute personal property. Payment will be limited to the lesser of: (1) the estimated cost to move the item to the replacement location, or (2) the actual cost of the substitute item delivered and installed at the replacement location, less any proceeds from its sale or its trade-in value. It is important to discuss your plans with the Agency before you proceed.

L. Searching for a replacement location. This payment may not exceed $1,000.00 and may cover costs for:

- Transportation expenses
- Time spent searching for a replacement location, based on a reasonable salary or earnings
- Reasonable fees paid to real estate agents or brokers to find a replacement location (not fees related to the purchase of a site)
- Meals and lodging away from home

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

You may minimize the amount of documentation needed to support your claim if you elect to "self-move" your property. Payment for self-move is based on the amount of an acceptable low bid or estimate obtained by the Agency. If you self-move, you may move your personal property using your own employees and equipment or a commercial mover. If you and the Agency cannot agree on an acceptable amount to cover the cost of the "self-move," you will have to submit full documentation in support of your claim.

You may elect to pay your moving costs yourself and be repaid by the Agency or, if you prefer, you may have the Agency pay the mover. In either case, let the Agency know before you move. Select your mover with care. The Agency representative can help you select a reliable and reputable mover.

When a payment for "actual direct loss of personal property" or "substitute personal property" is made for an item, the estimated cost of moving the item may be based on the lowest acceptable bid or estimate obtained by the Agency. If not sold or traded-in, the item must remain at the old location and ownership of the item must be transferred to the Agency before you may receive the payment.

What are Reestablishment Expenses?

As part of Payment For Actual Reasonable Moving And Related Expenses, a small business, farm or non-profit organization may be eligible to receive a payment of up to $10,000 for expenses actually incurred in relocating and reestablishing such operation at a replacement site.

Eligible expenses must be reasonable and necessary, as determined by the Agency. They may include but are not limited to the following:

A. Repairs or improvements to the replacement real property as required by federal, state or local law, code or ordinance.

B. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.

C. Construction and installation costs for exterior signage to advertise the business.

D. Provision of utilities from right-of-way to improvements on the replacement site.

E. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.

F. Licenses, fees, and permits where not paid as part of moving expenses.

G. Feasibility surveys, soil testing and marketing studies.

H. Advertising of replacement location.

I. Professional services in connection with the purchase or lease of a replacement site.

J. Estimated increased costs of operation during the first 2 years at the replacement site, for such items as:

1. Lease or rental changes
2. Personal or real property taxes
3. Insurance premiums, and
4. Utility charges(excluding Impact fees)

K. Impact fees or one-time assessments for anticipated heavy utility usage.

L. Other items that the Agency considers essential to the reestablishment of the business.

What Expenses Are Ineligible for Reestablishment Payment?

The following is a non-exclusive listing of reestablishment expenditures not considered to be reasonable, necessary or otherwise eligible:

A. Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures.

B. Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.

C. Interior or exterior refurbishments at the replacement site except as otherwise provided for under the business reestablishment payment.

D. Interest costs associated with any relocation expense or the purchase of replacement property.

E. Payment to a part-time business in the home which does not contribute materially to the household income.

What is Fixed Payment In Lieu Of A Payment For Actual Reasonable Moving And Related Expenses?

A Fixed Payment In Lieu Of A Payment For Actual Reasonable Moving And Related Expenses to a business or farm operation is based on the average annual net earnings of the business or farm operation. The payment to an eligible business or farm operation may not be less than $1,000, nor more than $20,000. The nonprofit organization may be eligible for a payment from $1,000 to $20,000 subject to the following:

A displaced nonprofit organization may choose a fixed payment as stated above if the Agency determines that it cannot be relocated without a substantial loss of existing patronage (membership or clientele.) A nonprofit organization is assumed to meet this test, unless the Agency demonstrates otherwise. Any payment in excess of $1,000, must be supported with financial statements for the two 12 month periods prior to displacement The amount to be used for the payment is the average of the last two (2) years annual net earnings. Documentation required may be income tax returns, certified financial statements and accounting records or other similar evidence acceptable to the Agency. To qualify for an In-Lieu payment:

A. A displaced business:

   1. must own or rent personal property which must be moved in connection with the displacement and for which an expense would be incurred in such move, and the business vacates or relocates from its displacement site.

   2. must be unable to relocate without a substantial loss of existing patronage.

   3. must not be part of a commercial enterprise having more than one other entity which is not being acquired by the Agency, and which are under the same ownership and engaged in the same or similar business activities.

   4. must not be operated at a displacement dwelling solely for the purpose of renting such dwelling to others.

   5. must not be operated at the displacement site solely for the purpose of renting the site to others.

   6. must have contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

B. A displaced nonprofit organization (1) must be unable to relocate without a substantial loss of its existing patronage, and (2) must not be part of an enterprise having another establishment which is not being acquired by the Agency.

C. A displaced farm operation must meet certain minimum income requirements.

The average annual net earnings of a business farm operation are one-half of its net earnings before Federal, State, or local income taxes during the two (2) taxable years immediately prior to the taxable year in which it was displaced. If not in business for a full two years prior to displacement, the net earnings shall be based on the actual period of operation at the acquired site projected to an annual rate. Average net earnings may be based on a different period of time when the Agency determines it to be more equitable. Net earnings include any compensation paid to the owners of the business, a spouse or dependents. The displaced person shall furnish the Agency proof of net earnings through income tax returns, certified financial statements, or other reasonable evidence which the Agency determines is satisfactory.

The Agency will inform you as to your eligibility for this payment and the documentation you must submit to support your claim. Remember, when you elect to take this payment you are not entitled to reimbursement for any other (actual) moving expenses.

I Own An Outdoor Advertising Display. What Relocation Payment Will I Receive?

As the owner of an outdoor advertising display, you are eligible for a Relocation Payment For Actual Reasonable Moving And Related Expenses. You are not eligible to receive a Payment In Lieu Of A Payment For Actual Reasonable Moving And Related Expenses.

If you choose not to relocate or replace the sign, the payment for "direct loss of personal property" would be the lesser of: (1) the depreciated reproduction cost of the sign, as estimated by the Agency, less the proceeds from its sale, or (2) the estimated cost of moving the sign without temporary storage. The Agency will inform you as to the exact costs that may be reimbursed.

How do I File A Claim For A Relocation Payment?

You must file a claim for a relocation payment. The Agency will provide you with the required claim forms, assist you in completing them, and explain the type of documentation that you must submit in order to receive your relocation payments. If you must pay any relocation expenses before you move (e.g., because you must provide a security deposit if you lease your new location), discuss your financial needs with the Agency. You may be able to obtain an advance payment. An advance payment may be placed in "escrow" to ensure that the move will be completed on a timely basis.

If you are a tenant, you must file your claim within 18 months after the date you move. If you own the property, you must file within 18 months after the date you move, or the date you receive the final acquisition payment, whichever is later. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, the Agency may extend this period.

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

Appeals

If you disagree with the Agency's decision as to your right to a relocation payment or the amount of payment, you may appeal the decision to the Agency. The Agency will inform you of its appeal procedures. At a minimum, you will have 18 months to file your appeal with the Agency. Your appeal must be in writing. However, if you need help, the Agency will assist you in preparing your appeal. If you are not satisfied with the final appeal decision, you may seek review of the matter by the courts.

Tax Status of Relocation Benefits

Relocation benefit payments <u>are not</u> considered as income for the purpose of the Internal Revenue Code of 1986 or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code.

Lawful Presence Requirement

Pursuant to the Public Law 105-117 of 11-21-97, in order to be eligible to receive non-residential relocation benefits in federally-funded relocation projects, the owner of a sole proprietorship and all owners of a partnership must provide information regarding their lawful presence in the United States, and a for-profit or a non-profit corporation must certify that it is authorized to conduct business in the United States. Sole proprietorships or partnerships with owners who are not lawfully present in the United States or who decline to provide this information, may be denied relocation benefits. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the US.

Additional Information

If you have further questions after reading this brochure, contact Overland, Pacific & Cutler, Inc. at (562) 304-2000 and discuss your concerns with your relocation representative. You may wish to read the California Relocation Assistance Act regulations which describes the relocation process in more detail.

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

ATTACHMENT 7

Computation of Rental Assistance Payments (RAP)		
1. Old Rent	$544	Old Rent, plus Utility Allowance
or,		
2. Ability to Pay	$445	30% of the Gross Household Income*
3. Lesser of lines 1 or 2	$445	
Subtracted From:		
4. Actual New Rent	$550	Actual New Rent including Utility Allowance
or,		
5. Comparable Rent	$575	Determined by Agency; includes Utility Allowance
6. Lesser of lines 4 or 5	$550	
7. Yields Monthly Need:	$105	Subtract line 3 from line 6
Rental Assistance	$4,410	Multiply line 7 by 42 months

* Gross income means the total annual income of an individual less the following: (1) a deduction of $500.00 for each dependent in excess of three; (2) a deduction of 10% of total income for the elderly or disabled *head of household*; (3) a deduction for recurring extraordinary medical expenses defined for this purpose to mean medical expenses in excess of 3% of total income, where not compensated for, or covered by insurance or other sources; (4) a deduction of reasonable amounts paid for the care of children or sick or incapacitated family members when determined to be necessary to employment of the head of household or spouse, except that the amount deducted shall not exceed the amount of income received by the person who would not otherwise be able to seek employment in the absence of such care.

ATTACHMENT 8

SUMMARY OF PUBLIC COMMENT(S)
ON
THE RELOCATION PLAN
AND
AGENCY RESPONSE
(PENDING)