The Metropolitan Council will provide the services and payments described in this Guide to all persons displaced by the Council’s acquisition of their property within the limits of the laws and the Council’s administrative procedures.

The Council will not displace any person from a dwelling because of a Council construction project until adequate replacement housing has been provided or made available to them, regardless of their race, color, religion, sex or national origin.

To the greatest extent practicable, the Council will not require any person lawfully occupying real property to move from their dwelling or move their business, farm operation or nonprofit organization without giving written notice at least 90 days before the date such move is required.

Metropolitan Council Real Estate Office
390 North Robert Street
Saint Paul, Minnesota 55101
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Introduction

Having to move from your residence or place of business is a significant interruption to your life. The Metropolitan Council recognizes that being displaced by a public improvement project is inconvenient and traumatic. That’s why we will do our utmost to make relocation as simple and clear as it can be.

This Guide is intended to help you in your relocation efforts by explaining the benefits to which you may be entitled.

If you are required to move as a result of a Council project, a Relocation Agent from the Council will contact you. The agent will explain the relocation program to you, answer your specific questions, and help you draw up your personal relocation plans. Your Relocation Agent will personally work with you to make your transition, and your move, go as smoothly as possible. Please discuss all aspects of your proposed relocation with your Relocation Agent to confirm your eligibility for benefits and prompt reimbursement of claims. Always contact the Relocation Agent before you move or finalize your plans.

You will surely have questions. Your Relocation Agent will guide you through the procedures and help you receive all benefits to which you are entitled.

Section I: Benefits Available When You Are Displaced from Your Home

Who Is Eligible for Benefits

Benefits are available to what the law calls “displaced persons.” A displaced person can be:

- A residential owner-occupant (includes mobile homes)
- OR
- A residential tenant-occupant (includes mobile homes and sleeping rooms)
- OR
- A nonresidential owner/tenant occupant
- AND/OR
- A business, farm or nonprofit organization.

If you are displaced but you are an alien not lawfully present in this country, you are not eligible. The exception would be where the situation would cause exceptional and unusual hardship for immediate family members who are citizens or aliens lawfully admitted with permanent residence.

If you have to move from your residence because the Council is acquiring your property, and you qualify as a displaced person, you are entitled to reimbursement for certain expenses. Eligible expenses may include:

- Moving costs, and
- Replacement housing costs

The type of expenses eligible for reimbursement and the amount of payment that you can receive depend on two factors:

1. How long you have lived in your residence (length of occupancy), and
2. Whether you own or rent your residence (type of occupancy).

Length of occupancy is the number of days a property owner has lived in a residential property, counting from and including the date that the Metropolitan Council initiates negotiations to purchase the property by presenting the property owner (or the owner’s representative) with a written purchase offer.

The following pages briefly explain what expenses are eligible for reimbursement and how the amounts of reimbursement payments are determined.
Moving Expenses

If you qualify as a Displaced Person, you are entitled to reimbursement for certain moving costs and related expenses.

You may choose one of two options to receive payment for moving expenses:

1. Being reimbursed for your actual reasonable moving costs
   OR
2. Being paid based on a fixed schedule of moving costs.

Reimbursement of Actual Reasonable Moving Costs

If you choose to be reimbursed for actual reasonable moving costs, you may request reimbursement for the cost of hiring a commercial mover or the costs of moving yourself, as well as additional related expenses. In most cases, the Council will only reimburse the costs of moving within 50 miles of your previous residence. You must submit receipts for moving costs to the Agency in order to receive reimbursement. Additional related expenses may include:

• Packing and unpacking personal property
• Transporting your property to your new residence
• Disconnecting and reconnecting household appliances
• Insurance while property is in transit, and
• Mobile home park entrance fees.

Only expenses that the Council determines are reasonable will be reimbursed. Keep in mind the following guidelines, and ask your Relocation Agent in advance if you have questions about what expenses are eligible for reimbursement.

• The Council will only reimburse costs associated with one move, unless the Council agrees in advance that more than one move is necessary (for example, moving personal property to a storage facility and then moving it from storage to a new residence).
• Storage costs may be eligible for reimbursement if it is necessary to store your personal property while you wait for another home to become available. The Council will not allow storage costs unless the Council gives prior approval.
• The Council requires at least two estimates from professional moving companies to determine a reasonable cost.

Payment Based on a Fixed Schedule of Moving Costs

If you choose to receive payment based on a fixed cost schedule, the amount you receive will be determined according to the number of rooms of furniture and personal property in your dwelling. If you choose this option, you do not have to submit receipts to the Council in order to receive payment. Under this option, you will not be eligible for reimbursement of the additional related expenses listed above.

If you own furniture and are moving it to your new residence, the amount of reimbursement will be based on the following schedule:

<table>
<thead>
<tr>
<th>Rooms</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>Each additional room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount</td>
<td>$575</td>
<td>$725</td>
<td>$925</td>
<td>$1,125</td>
<td>$1,325</td>
<td>$1,525</td>
<td>$1,725</td>
<td>$1,925</td>
<td>$275</td>
</tr>
</tbody>
</table>

If you do not own furniture, the amount of reimbursement will be based on the following schedule:

<table>
<thead>
<tr>
<th>Rooms</th>
<th>1</th>
<th>Each additional room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount</td>
<td>$450</td>
<td>$100</td>
</tr>
</tbody>
</table>
Replacement Housing Payments

Eligibility for Replacement Housing Payments

• If you own your residence and you have lived there for at least 90 days before the Council initiate’s negotiations, you may be eligible for either a purchase supplement or a rental assistance payment.

• If you are a rental tenant and you have lived in your residence for at least 90 days before the Council initiate’s negotiations, you may be eligible for either a rental assistance payment or down payment assistance toward the purchase of a replacement dwelling.

• You may be eligible for last resort housing:
  – If you have lived in your residence for less than 90 days before the Council initiates negotiations, or
  – If you move onto the property after the Council initiates negotiations and you are still occupying the property on the date the Council completes its acquisition. See page 10.

Replacement housing payments are intended to help you obtain a comparable replacement dwelling that is decent, safe and sanitary. These terms are defined below.

Comparable Replacement Dwelling

The term “Comparable Replacement Dwelling” means a replacement dwelling which, when compared to your current dwelling, is:

• Decent, safe and sanitary
• Functionally equivalent, meaning that it will generally perform the same function and provide the same utility as your current dwelling
• Large enough to accommodate its occupants
• Located in an area that is not subject to unreasonable adverse environmental conditions
• Located in an area that is generally not less desirable than your present location with respect to public utilities, commercial activities and public facilities, and that is reasonably accessible to your place of employment, and
• On a site typical in size for residential development with normal site improvements, including customary landscaping, but does not necessarily include special improvements such as outbuildings and swimming pools.

Decent, Safe and Sanitary

Replacement housing must be “decent, safe and sanitary,” meaning that it meets all of the minimum requirements established by federal regulations and conforms to local housing and occupancy codes. The dwelling must:

• Be structurally sound, weather tight and in good repair
• Contain a safe electrical wiring system adequate for lighting and electrical appliances
• Contain a 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 people
• Contain a well-lighted and ventilated bathroom providing privacy to the user and containing a sink, bathtub or shower stall and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system
• Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator
• Have unobstructed egress to safe, open space at ground level, and
• Be free of any barriers that prevent reasonable entrance, exit, or use of the dwelling in the case of a displaced person with disabilities.
Compliance and Inspection for Decent, Safe and Sanitary Requirements

Personnel from the Council will inspect your replacement dwelling to ensure that it is decent, safe and sanitary. This inspection is for the sole purpose of determining your eligibility for a relocation payment. Do not interpret the Council’s approval of a dwelling to be any assurance or guarantee that there are no deficiencies in the dwelling or its fixtures and equipment that may be discovered at a later date. It is your responsibility to protect your best interest and investment in the purchase or rental of your replacement property. The Council cannot assume any responsibility or blame if structural, mechanical, legal or other unforeseen problems are discovered after the inspection.

Types of Replacement Housing Payments

There are three types of replacement housing payments:

1. Purchase supplement
2. Rental assistance, and
3. Down payment assistance.

The type of payment depends on whether you own or rent your home, and on how long you have lived there.

Purchase Supplement

Available to home owners who have lived in their homes for 90 days or more. See below.

Rental Assistance

Available to home owners who have lived in their homes for 90 days or more, and to rental tenants who have lived in their homes for 90 days or more. See page 9.

Down Payment Assistance

Available to rental tenants who have lived in their homes for 90 days or more. See page 10.

Date for Vacating the Property

All occupants will be notified in writing of a specific date by which they must vacate the property. Check with the Council on specific dates associated with your property and the Council’s needs.

Purchase Supplement

If you own your home and you have lived in your home for 90 days or more immediately prior to the date that the Agency initiates negotiations to acquire your property, you may be eligible for a supplemental payment of up to $31,000 to cover the costs of purchasing a replacement dwelling.

This Purchase Supplement is in addition to the fair market value of your current property.

To receive a Purchase Supplement, you must purchase and occupy a decent, safe and sanitary replacement dwelling within one year of the later date of when you move from your home or when you receive final payment for your home.

The Council will determine the maximum Purchase Supplement you are eligible to receive. The Purchase Supplement may include three parts:

1. Price Differential
   The price differential is the amount by which the cost of a comparable replacement dwelling exceeds the amount paid by the Council for your original dwelling.

2. Increased Mortgage Interest Cost
   You may be reimbursed for increased mortgage interest costs if the interest rate on your replaced mortgage exceeds that of your present mortgage. To be eligible, your original dwelling must have been encumbered by a mortgage that was a valid lien on the property for at least 180 days prior to the date when negotiations were initiated.

3. Incidental Expenses (Closing Costs)
   You may also be reimbursed for other expenses such as reasonable costs for title search, recording fees, home inspection and certain other closing costs, but not for prepaid expenses such as real estate taxes or property insurance.
Examples of Price Differential Calculation

If, for example, the Council purchases your property for $80,000, and determines (after reviewing available homes on the market) that a comparable replacement dwelling is available for $90,000, you are eligible for a price differential payment of $10,000 (the difference between the price the Council pays for your dwelling and the cost of a replacement dwelling).

If the purchase price of your replacement dwelling is greater than $90,000, you still receive a price differential payment of $10,000, but you must pay the additional cost of the replacement dwelling.

If the purchase price of your replacement dwelling is less than $90,000, the differential payment will be based on actual costs and will be less than $10,000.

The amount of differential payment you receive depends on how much you actually spend on a replacement dwelling, as shown in these examples:

**Example A**

Available Comparable Replacement Dwelling: $90,000
Council’s Purchase Price of Your Current Dwelling: $80,000
Eligible Maximum Potential Price Differential: $10,000

**Example B**

Available Comparable Replacement Dwelling: $90,000
Purchase Price of Your Actual Replacement Dwelling: $90,000
Council’s Purchase Price of Your Current Dwelling: $80,000
You Receive the Maximum Price Differential of: $10,000

**Example C**

Available Comparable Replacement Dwelling: $90,000
Purchase Price of Your Actual Replacement Dwelling: $85,000
Council’s Purchase Price of Your Current Dwelling: $80,000
You Receive the Price Differential of: $5,000

**Example D**

Available Comparable Replacement Dwelling: $90,000
Purchase Price of Your Actual Replacement Dwelling: $95,000
Council’s Purchase Price of Your Current Dwelling: $80,000
You Receive the Price Differential of: $10,000
...and You Must Pay the Additional: $5,000
Rental Assistance

If you own or rent your home and if you have lived there for 90 days or more immediately before the date the Council initiates negotiations to acquire your property, you may be eligible for a payment of up to $7,200 to rent a comparable replacement dwelling.

The maximum length of time for which rental assistance will be paid is 42 months.

The rental assistance payment will be paid in a lump sum unless the Council determines that the payment should be paid in installments. To receive this payment, you must rent and occupy a comparable replacement dwelling within one year from the date you vacate the property being acquired for the project.

The Council will determine the maximum payment you may be eligible to receive in accordance with established procedures. All calculations use a base monthly rent to calculate the Rental Assistance benefit, which will be the lower of:

1. Your current average monthly cost for rent and utilities
   OR
2. 30% of your average monthly gross household income if your household qualifies as “Low Income” according to the U.S. Housing and Urban Development Annual Survey of Income Limits for Public Housing and Section 8 programs.

Your Relocation Agent will explain this further.

Example of Rental Assistance

If the Council purchases a property where you had been paying rent of $450 per month, and the Council determines (based on review of the rental market) that a comparable replacement rental unit is available for $525 per month, the maximum rental assistance payment you can receive is $75 per month for 42 months, or $3,150.

Option A

If you select a replacement dwelling that rents for $550 per month, despite the availability of comparable replacement rental units that rent for $525 per month, you will still receive only the maximum computed payment of $3,150. In other words, you must pay the additional $25 per month.

Option B

If you select a replacement dwelling that rents for more than your present rent but less than the amount determined by the Council, you will be paid the actual cost difference. For example, assume you select a replacement dwelling unit that rents for $500 per month. On the basis of actual cost, you will be eligible for a payment of $50 per month for 42 months or $2,100.

Rental Assistance for Displaced Homeowners

If you are a homeowner and move to a rental dwelling after the Council acquires your property, the calculation of a rental assistance payment is more complicated. Homeowners interested in renting should contact their Relocation Agent for more information.
Down Payment Assistance

If you rent your home and have lived there for 90 days or more immediately before the date that the Council initiates negotiations to acquire the property, you may be eligible for assistance with the down payment on a replacement dwelling and with incidental expenses.

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

The Council will determine the maximum down payment you may be eligible to receive. The combined amount of the down payment and incidental expenses cannot exceed the amount determined as a rental assistance payment, or the actual purchase price of the replacement dwelling, whichever is less. The down payment amount that you are eligible for is based on the amount of the computed rental assistance that you would have received if you had continued in a tenant status. The total computed amount must go toward the purchase of a decent, safe and sanitary replacement dwelling.

To receive down payment assistance and payment for additional expenses, you must purchase and occupy a decent, safe and sanitary replacement dwelling within one year of vacating the property.

Again, you must purchase and occupy a decent, safe and sanitary replacement dwelling within one year.

Last Resort Housing

In most cases when residents are displaced by a public project, an adequate supply of housing is available for sale or rent, and the benefits provided by the Council are sufficient to enable all displaced residents to relocate to comparable replacement housing.

If no comparable replacement dwellings are available in your area, or if the maximum amount of the Purchase Supplement or Rental Assistance is not sufficient for you to secure a comparable replacement dwelling, you must be provided a comparable dwelling before you are required to move.

In this case, the Council will use a procedure called Last Resort Housing to ensure that comparable replacement dwellings are available for displaced residents.

The Council may provide the necessary housing in a number of ways, such as:

1. Purchasing an existing comparable residential property and making it available to the displaced resident in exchange for the property being acquired;
2. Relocating and rehabilitating (if necessary) a dwelling purchased within the project area by the Council and making it available to the displaced resident in exchange for the property being acquired;
3. Purchasing, rehabilitating and/or constructing additions to an existing dwelling to make it comparable to a property being acquired;
4. Purchasing land and constructing a new replacement dwelling comparable to a property being acquired;
5. Purchasing an existing dwelling, removing barriers and/or rehabilitating the structure to accommodate a handicapped displaced resident;
6. Authorizing a replacement housing payment in excess of the normal limits for Purchase Assistance or Rental Assistance; or
7. Making a direct loan that enables the displaced resident to construct or contract for the construction of a comparable replacement dwelling.

The Council has broad flexibility in implementing the Last Resort Housing program, and the methods are not limited to the above list.
**Choice in Replacement Housing**

All persons eligible for replacement housing assistance are free to choose their replacement housing. The Council will not require any displaced person, without his/her written consent, to accept the replacement housing offered by the Council. If a displaced resident decides not to accept the replacement housing offered by the Council, the displaced resident may secure a replacement dwelling of his/her choice, providing it meets the standards for decent, safe and sanitary housing.

**Do Not Buy or Lease a Substandard Dwelling**

The most important thing to remember is that the replacement dwelling you select must meet basic “decent, safe and sanitary” standards. Do not execute a sales contract or a lease agreement until a representative from the Council has inspected the replacement dwelling and certified in writing that the dwelling meets these basic standards.

Do not jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

**Fair Housing**

The Federal Fair Housing Act sets forth the policy of the U.S. government to provide, within constitutional limitations, for fair housing throughout the United States. This act make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, national origin or disability.

Whenever possible, members of minority populations shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require the Council to provide a person a larger payment than is necessary to enable that person to relocate to a comparable replacement dwelling.

**Section II: Reimbursements to Displaced Businesses, Farms and Nonprofit Organizations**

**Reimbursement Options for Moving Costs**

Owners and/or tenants of displaced businesses, farms and nonprofit organizations may qualify for reimbursement for certain moving costs and related expenses.

A “business” is considered to be any lawful activity (except a farm operation) that operates primarily in:

- The purchase, sale, lease, or rental of personal and/or real property
  - OR
- The manufacture, processing, or marketing of products, commodities, or any other personal property
  - OR
- The sale of services to the public, or in the outdoor advertising field when the display must be moved as a result of a project
  - OR

The term also refers to a nonprofit organization that has established its nonprofit status under applicable federal or state law.

A “farm” is considered any activity conducted:

- Solely or primarily to produce one or more agricultural products or commodities for sale or home use
  - AND
- Customarily produces those products or commodities in sufficient quantity to contribute materially to the operator’s support.

A “nonprofit organization” is an organization incorporated under state law as a nonprofit organization, and is exempt from paying federal income taxes.
Actual Reasonable Moving Costs or a Fixed Payment

Owners and/or tenants of displaced businesses, farms and nonprofit organizations may be eligible for reimbursement of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.

1. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself. Related expenses such as personal property losses, reestablishment costs and expenses in finding a replacement site may also be reimbursable.

OR

2. You may be eligible to receive a fixed payment of between $1,000 and $40,000. This payment is based on the annual net earnings of the business or farm. To qualify for a fixed payment, certain conditions must be met.

Actual Reasonable Moving Costs

If you choose to be reimbursed for actual reasonable moving costs, you may request reimbursement for the cost of hiring a commercial mover or the costs of moving yourself, as well as additional related expenses. In most cases, the Council will only reimburse the costs of moving personal property within 50 miles. The Council will also reimburse you for personal property losses, if any. Additional related expenses eligible for reimbursement may include:

- Related nonresidential expenses
- Reestablishment expenses, and
- Searching expenses in finding a replacement location.

Fixed Payment in Lieu of Moving Costs

If you choose to receive a fixed payment instead of reimbursement for actual costs, the amount of payment you receive will be determined by the Council based on average annual net earnings of your business over the two years prior to the year of displacement. The minimum payment is $1,000 and the maximum payment is $40,000.

This payment is intended to cover all costs of relocation. If you select this option, you will not be eligible for reimbursement of any other relocation expenses.

Two Ways to Move Your Enterprise

Hiring a Professional Mover

If you hire a commercial mover, you may be paid the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by receipts in order to ensure prompt payment of a moving cost claim. Costs must be reasonable and necessary.

Certain other expenses are also reimbursable, such as packing, crating, unpacking and uncrating, disconnecting, dismantling, removing, reassembling and reinstalling relocated machinery, equipment and other personal property. Expenses such as insurance while in transit, temporary storage and additional handling costs may also be reimbursable. To be eligible for reimbursement, storage costs must be considered necessary and be preapproved by the Council before placing into storage. The Council will require at least two estimates from a professional moving company.

Moving Your Enterprise Yourself

If you elect to take full responsibility for all or part of the move, the Council may approve a payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants, or a qualified Council employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual-cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of actual expenses.
Notification and Inspection

To ensure eligibility for reimbursement and prompt payment for moving expenses, you must provide the Council with advance written notice of the approximate date of the planned move and an inventory of the items to be moved. The Council has the right to inspect the personal property at the displacement and replacement sites and to monitor the move. Failure to do this could jeopardize your claim.

Direct Losses of Tangible Personal Property

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property that is incurred as a result of the move or discontinuance of the operation. This payment will be based on the value of the item for continued use at the displacement site, minus proceeds from its sale or the estimated cost of moving the item, whichever is less.

Your Relocation Agent will explain this procedure in detail if you face this problem.

Related Nonresidential Expenses

The following may also be eligible costs if the Council determines that they are actual, reasonable and necessary:

- Connection to available nearby utilities from the right-of-way to improvements at the replacement location
- Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced business operation, including but not limited to soil testing, site feasibility and marketing studies, and
- Impact fees or one-time assessments for anticipated heavy utility usage.

Reestablishment Expenses

A small business, farm, or nonprofit organization may be eligible for expenses actually incurred in relocating and reestablishing the enterprise at a replacement site. To qualify, the business, farm or nonprofit organization must not have more than 500 employees working at the site being acquired or displaced by the program or project. Your Relocation Agent will provide a maximum payment allowed.

Reestablishment expenses may include, but are not limited to, the following:

- Repairs or improvements to the replacement property required by federal, state or local law, code or ordinance
- Modifications to the replacement real property to accommodate the business operation or make the structure(s) suitable for conducting the business
- Construction and installation of exterior signs to advertise the business
- Redecoration or replacement of soiled or worn surfaces at the replacement site (such as painting, paneling and carpeting) when required by the condition of the replacement site
- Advertising the new business location
- The estimated increased costs of operation during the first two years at the replacement site for such items as:
  - Lease or rental charges
  - Personal or real property taxes
  - Insurance premiums, and
  - Utility charges (excluding impact fees)
- Other items the Council determines are essential to the reestablishment of the business

Certain expenditures are not eligible for reimbursement as reestablishment expenses, including but not limited to:

- The purchase of capital assets, product or related inventory, and
- Interest on borrowed funds.
Expenses of Searching for Replacement Property

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement of up to $2,500 for actual reasonable expenses incurred in searching for a replacement property. Eligible search expenses may include:

- Transportation, meals and lodging when away from home,
- The reasonable value of the time spent during the search,
- Fees paid to real estate agents, brokers, or consultants, and
- Other expenses determined to be reasonable and necessary by the Council.

Fixed Payment (in Lieu of Moving Expenses)

Displaced businesses, farms and nonprofit organizations may be eligible for and choose a Fixed Payment option, which is paid instead of otherwise eligible moving costs and related expenses. The fixed payment amount will be not less than $1,000 or more than $40,000.

For a business to be eligible for a Fixed Payment, the Council must determine all of the following:

1. The enterprise cannot be relocated without a substantial loss of its existing patronage.
2. It is not a part of an enterprise having more than three other establishments engaged in the same or similar activity not being acquired.
3. The business must have contributed materially to the income of the displaced person during the two taxable years prior to displacement.

A business being operated at a displacement dwelling or site for the sole purpose of renting the dwelling or site to others is not eligible for the Fixed Payment option.

For the owner of a farm to be eligible for a Fixed Payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, the Council must determine that the acquisition caused the operator to be displaced from the farming operation on the remaining land, or that the acquisition caused a substantial change in the nature of the farm operation.

The amount of Fixed Payment to a nonprofit organization is based on gross revenues.

The amount of Fixed Payment to a business or farm operation is based on the average annual net earnings of the business or farm operation for the two taxable years immediately preceding the taxable year in which it was displaced.

Or another two-year period, if the Council determines that a different period more accurately represents the annual earnings of the business or farm.

Example:

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual Net</th>
<th>Year Displaced</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>$16,000</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>$18,000</td>
<td></td>
</tr>
</tbody>
</table>

AVERAGE: $17,000 = Fixed Payment

You must provide information to the Council to support your claim. Proof of net earnings is documented by income tax returns.

The Relocation Agent will explain eligibility requirements and claims documentation if you are interested in this option.
Outdoor Advertising Devices

Owners of outdoor advertising devices (personal property) being displaced are eligible for reimbursement of actual reasonable costs of moving the devices, as well as related expenses.

The amount of a payment for direct loss of an advertising device is limited to the lower of:

1. The depreciated reproduction cost of the sign (as determined by the Council) minus the proceeds from its sale (or salvage value)

   OR

2. The estimated cost of moving the sign, but with no allowance for storage.

The costs of searching for a replacement site for outdoor advertising devices, up to a maximum of $2,500, may also be eligible for reimbursement.

Section III: Services Providing Relocation Assistance

Relocation Assistance Services

Any displaced individual, family, business or farm operation shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by the Council, or working on behalf of the Council.

Relocation Assistance personnel are there to assist and advise you; be sure to make full use of their services. Do not hesitate to ask questions, and be sure you understand fully all of your rights and relocation benefits.

Residential Assistance

A Relocation Agent from the Council will contact you personally to explain your eligibility for payments for relocation services. During the initial interview, the Relocation Agent will determine your housing needs and desires, as well as what assistance you may need.

You cannot be required to move unless at least one comparable replacement dwelling is made available to you. At the discretion of the Council, comparable housing may be inspected prior to being made available to you in order to ensure that it meets decent, safe and sanitary standards.

If you want, the Relocation Agent will give you current listings of other available replacement housing. Transportation may be provided to inspect available housing, especially if you are elderly or have disabilities. The Council also will provide counseling or help you get assistance from other sources in order to minimize any hardship in adjusting to your new location.

If necessary, the Relocation Agent will also give you information about other federal, state and local housing programs offering assistance to displaced persons.

Business and Farm Assistance

A Relocation Agent will explore listings of commercial properties and farms whenever businesses and farms are displaced. The Council will take steps to minimize economic harm to displaced businesses and to increase their likelihood of being able to relocate back into the affected community. The Relocation Agent also may explore and provide advice concerning possible sources of funding and assistance from other local, state and federal agencies.

Social Services Provided by Other Agencies

Your Relocation Agent will be familiar with the services provided by other public and private agencies in your community. If you have special problems, the Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you. Tell your Relocation Agent about your needs so that you can receive the help you need.
Relocation Advisory Assistance Checklist

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a project. In addition to the services listed here, the Council is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced received fair and consistent relocation benefits.

The Relocation Agent will personally interview displaced persons to:

- Determine their needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Ensure that a comparable replacement residential property is available before a resident is displaced
- Provide a list of comparable properties that are available for purchase or lease
- Provide the amount of the replacement housing payment in writing
- Inspect replacement dwellings to ensure that they are decent, safe and sanitary
- Supply information on other local, state and federal programs offering assistance to displaced persons
- Provide advice to minimize hardships, and
- Assist in the preparation of claims for payment.

Other Benefits and Taxes

Relocation assistance will not adversely affect your eligibility for Social Security or welfare benefits.

No relocation payment you receive will be considered as income for the purpose of the Internal Revenue Code of 1986 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law except for any Federal law providing low income housing assistance.

If you receive Supplemental Security Income (SSI) payments, you should also review available resources with the appropriate Social Security Office.

Summary of Benefits

Payments for Individuals and Families

Homeowner-Occupant of at least 90 days or more

- Purchase supplement which includes:
  - Price differential
  - Increased mortgage interest costs
  - Incidental expenses (closing costs), and
- Can elect to receive rental assistance instead of a purchase supplement, and
- Moving expenses

Homeowner-Occupant of less than 90 days

- Moving expenses

Residential Tenants of at least 90 days

- Rental assistance or down payment assistance, and
- Moving expenses

Residential Tenants of less than 90 days

- Moving expenses
Payments for Businesses, Farms and Nonprofit Organizations

Business
- Moving expenses, reestablishment expense, payment for searching for replacement location, OR
- A fixed payment (in lieu of all other eligible expenses)

Farm operators
- Moving expenses, reestablishment expenses, payment for searching for replacement location, OR
- A fixed payment (in lieu of all other eligible expenses)

Nonprofit organizations
- Moving expenses, reestablishment expenses, payment for searching for replacement location, OR
- A fixed payment (in lieu of all other eligible expenses)

For More Information
Please talk to your Relocation Agent for details, policies and procedures.

Right of Appeal
Any person may appeal the Council’s determination of their eligibility for relocation assistance or the amount of relocation assistance payments. If you wish to appeal, you must make a request in writing to the Council. A request for review of a denied claim for relocation assistance and payments must be submitted within 60 days after you are informed of the denial.