



**OPC, a GFT Company**  
5000 Airport Plaza Drive, Suite 250  
Long Beach, CA 90815  
Tel 800.400.7356  
www.gftinc.com

# *407-409 and 413 Pacific Project*

## RELOCATION PLAN

### **Prepared for:**

CRP Affordable Housing & Community Development  
4429 Morena Blvd Suite A  
San Diego, CA 92117  
(831) 915-3855

### **Prepared By:**

Overland, Pacific and Cutler, LLC, a GFT Company  
5000 Airport Plaza Drive, Suite 250  
Long Beach, CA 90815  
(562) 304-2000

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## INTRODUCTION

CRP Affordable Housing & Community Development (“Developer”) has acquired the property located at 407 - 409 and 413 Pacific Ave, Santa Cruz, CA 95060 (“Project Site” or “Site”) for the proposed 407- 409 and 413 Pacific Project (“Project”). The Project would include demolition of the existing improvements and construction of a new, 102-unit 100-percent affordable family housing development.

The Site is currently improved with nine occupied residential apartment units, a vacant single-family home, a warehouse with storage yard, and five storage garages. The apartments consist of one studio, seven one-bedrooms, and one two-bedroom unit, and the single-family home is a three-bedroom, two-bathroom house. Due to the scope of the Project, all existing tenants would be required to permanently relocate. The eligible tenants will be provided with relocation assistance and benefits according to all applicable relocation laws and regulations.

The proposed development will include a seven-story building consisting of 34 two-bedroom and 68 three-bedroom units, for a total of 102 new affordable housing units. One three-bedroom unit will be reserved for onsite management. All units will be restricted to incomes between 30% and 80% of the area median income (AMI). The proposed Project is consistent with the local housing element.

The Client anticipates applying for and utilizing CDBG-DR funds from HCD, tax credits, and tax-exempt bonds to finance the Project. Due to the proposed funding sources, in accordance with the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 as amended, 49 CFR Part 24 as updated in the Final Rule effective June 3, 2024, HUD Program Section 104(d), the California Relocation Assistance Law, Government Code Section 7260, et seq. (Law), the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development as in Title 25, California Code of Regulations Section 6000, et seq. (Guidelines), and the California Housing Crisis Act 2019 (SB330/SB8).

The Developer has retained Overland, Pacific & Cutler, LLC (OPC), a division of GFT, to prepare a Relocation Plan (Plan). The needs and characteristics of the tenants and Developer’s program to provide assistance to each affected person are general subjects of this Relocation Plan (Plan).

This Plan is organized in five sections:

1. Project description (**SECTION I**);
2. Assessment of the relocation needs of tenants subject to displacement (**SECTION II**);
3. Assessment of replacement units within the city and near the Project site (**SECTION III**);
4. Description of the Owner’s relocation program (**SECTION IV**);
5. Description of the Owner’s Project timeline and budget (**SECTION V**).

## **One-for-One Replacement Unit Requirement**

The Housing Crisis Act of 2019 (SB 330) and SB 8 dictates replacement requirements for certain “protected units”. Protected Units include a variety of different scenarios: rent controlled units, units occupied by low-income tenants, units with low-income rent levels, units where an Ellis Act eviction has taken place in the last 10 years, and units with BMR rents instituted as part of a deed restriction or covenant.

Developers are required to replace all units fitting these descriptions as part of any development on a site with existing housing. All Protected Units that existed on site within the last five years must be replaced both in terms of unit count and in the total aggregate number of bedrooms.

Existing tenants to be permanently displaced from a Protected Unit must be offered the Right of First Refusal as follows:

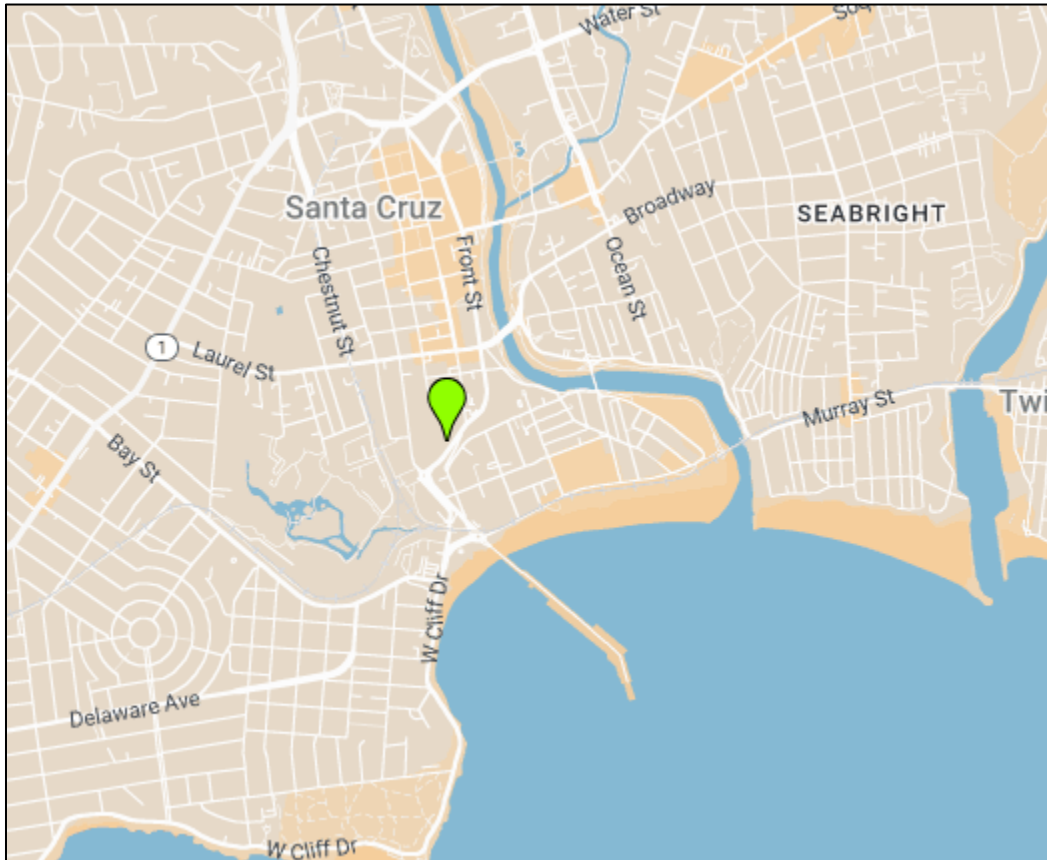
*A right of first refusal for a comparable dwelling unit available in the new development affordable to the household at an affordable rent or affordable housing cost based on household income. First right of refusal shall apply to protected units occupied by an occupant who qualifies for residence in the new development and for whom providing a comparable unit would not be precluded due to unit size limitations or other requirements of one or more funding source of the housing development.*

And finally, existing tenants to be permanently displaced must be provided with relocation assistance as required under the CRAL and Guidelines.

# I. PROJECT DESCRIPTION

## A. PROJECT REGIONAL LOCATION

The Project Site is located in the City and County of Santa Cruz. The Project site is accessible from Highway 1. The Site is approximately one mile south of downtown Santa Cruz (*Figure 1: Regional Project Location*).



**Figure 1: Project Area Regional Map**

## B. PROPERTY DESCRIPTION

The Site is located at 407 - 409 and 413 Pacific Ave, Santa Cruz, CA 95060, and is bordered by Pacific Avenue to the east and Center Street to the west. The Project site is a single parcel of approximately 0.45 acres.

The commercial building is a warehouse currently occupied by Abacus Antiques. There are 9 occupied residential apartment units and a vacant three-bedroom single-family home. The Site is surrounded by single-family housing, apartments, hotels, and Santa Cruz beach.

The Site is within a quarter mile of a bus stop, a half mile of grocery stores, pharmacies, and community centers, and within a mile of medical facilities.



**Figure 2: Project Area Local Map**



*Figure 3: Site Elevation*



*Figure 4: Site Elevation*

## II. ASSESSMENT OF RELOCATION NEEDS

For the purpose of this Plan, limited data on the existing tenants was provided by the Developer in October 2025. OPC attempted to conduct individual tenant interviews in November 2025, of which three were responsive. The remaining commercial tenant and six residential tenants will be interviewed prior to relocation activities, and this Plan will be subsequently updated.

Inquiries made of the residential occupants included household size and composition, income, monthly rent and estimated utility costs, length of occupancy, ethnicity, home language, physical disabilities, legal presence status, relocation needs, and replacement housing preferences.

### A. RESIDENTIAL PROJECT OCCUPANTS

#### 1. *Occupant Information*

There are nine apartment units at the Site and all are currently occupied. The apartment households consist of at least 11 adults and one minors (17 years or younger) at the Site. Households currently occupy one studio, seven one-bedroom, and one two-bedroom units. Rents range from \$1,100.00 to \$1,560.00 per month, inclusive of all utilities.

#### 2. *Replacement Housing Needs*

Replacement housing needs, as expressed in this plan, are defined by the total number of required replacement units and distribution of those units by bedroom size. The projected number of required units by bedroom size is calculated by comparing current data for household size with CRP's replacement housing occupancy standards. These standards, generally, allow for up to two persons in a studio unit, three persons in a one-bedroom unit, five persons in a two-bedroom unit, seven persons in a three-bedroom unit and nine or more persons in a four-bedroom unit.

When determining the comparable size of the replacement unit under the State and 104(d) relocation programs, the number of all household members is taken into consideration regardless of legal presence status. Under the URA, when determining the size of the replacement unit needed, only the legally present members of the household are considered, based on the occupancy standard above. The household will potentially have a choice of three relocations programs, including the Federal URA, Section 104(d), or the State program, under which to submit claims for assistance and under which the size of the comparable replacement unit will be determined.

Based on available tenant data, the households are not overcrowded. The replacement units required for the tenants to be displaced include one studio, seven one-bedroom, and one two-bedroom units. Replacement housing referrals will be in similar neighborhoods as the existing site with comparable access to community amenities and resources.

#### 3. *Income*

Verbal information regarding gross household income was provided by three households, two of which indicated they are employed, and one stated they receive disability. The remaining six households are unknown. The remaining households will be interviewed prior to relocation activities to confirm income levels.

According to income standards for Santa Cruz County, (**Exhibit A**) adjusted for family size as published by the United States Department of Housing and Urban Development (HUD), one of

the interviewed households may qualify as Extremely Low Income (0% to 30% AMI), and two may qualify as Very Low Income (31% to 50% AMI). The remaining six households are assumed to be, at a minimum, Low Income (51% to 80% AMI).

#### ***4. Language/Ethnicity***

Ethnicities for the three interviewed households include white, Hispanic, and mixed. The remaining six are unknown at this time. All three interviewed households read and speak English. The remaining household languages are anticipated to include English and Spanish. All remaining households will be interviewed prior to relocation activities.

#### ***5. Seniors and Disabilities***

There is one confirmed senior (62 years and over), and one known disabled occupant. Households will be interviewed prior to relocation activities to confirm the presence of additional seniors and disabled occupants. Appropriate steps will be taken to accommodate any special needs and to locate or modify suitable replacement housing. Mobility challenges will be addressed as it relates to replacement housing, including the need for a first-floor unit or unit in a building with an elevator, as well as potentially identifying an ADA compliant unit, if applicable.

#### ***6. Preferred Area to Relocate***

All three of the interviewed households indicated they needed to remain within Santa Cruz to stay in proximity to current employment and medical facilities. It is assumed the remaining six households will need to remain within Santa Cruz due to employment.

### **B. NON-RESIDENTIAL PROJECT OCCUPANTS**

#### ***1. Tenant Information***

There is one non-commercial occupant to be permanently displaced, Abacus Antiques, and they are currently on a month-to-month lease. The tenant pays \$1,650.00 per month for rent and the space they occupy is approximately 5,700 square feet, with an additional 1,000 square-foot fenced storage yard. It is anticipated that the business has 1-3 employees.

Lastly, there are five storage units on the Site, each renting for about \$279.00 per month. It is assumed these storage units are full and will require relocation assistance for the personal property within.

#### ***2. Preferred Area to Relocate***

It is anticipated that Abacus Antiques will want to relocate the businesses and stay in the same area with a location with easy access, large space, high visibility, and high traffic counts.

#### ***3. Property to Relocate***

The amount of personal property to be moved has not been confirmed, but it is anticipated that the space is full of lumber materials and potential equipment. Abacus Antiques will require a moving company to assist with the relocation and reinstallation of their personal property.

#### ***4. Relocation Concerns***

The replacement site requirements for Abacus Antiques are anticipated to include having lease options in the same area or within the County, easy accessibility, easy visibility, large size, and similar rent.

### III. RELOCATION RESOURCES

#### A. NON-RESIDENTIAL REPLACEMENT SITES

When searching for replacement locations, zoning and other regulatory issues must be considered carefully, with the business owner’s preferences as the focus. The search for available properties for lease was conducted in proximity to the Project site and surrounding communities. The resources utilized included classified ads, the internet, CoStar, and multiple listing services.

A market survey was conducted in November 2025 to identify suitable replacement sites for the commercial resident. The results of the market survey can be found in Table 2 below. At the time of displacement, ongoing referrals to the business owner will be provided.

Address	Type	SF/YR	SQ	Distance
142 Benito Ave, Santa Cruz, CA 95062	Industrial	20.38	5,600	1.4
831 Almar Ave, Santa Cruz, CA 95060	Industrial	14.4	13,321	1.9
333 Ingalls St, Santa Cruz, CA 95060	Industrial	18	3,000	2
719 Swift St, Santa Cruz, CA 95060	Industrial	18	2,288	2.2

#### B. RESIDENTIAL REPLACEMENT SITES

There are nine residential households to be displaced as a result of the Project. A market survey was conducted in November 2025 to identify available studio, one-bedroom, and two-bedroom apartments within a five-mile radius of the Project site. This data is summarized in Table 3 below.

# of Bedrooms	Studio	1	2
# Found (# Needed)	3 (1)	14(7)	6(1)
Rent Range	\$1,875 - \$2,450	\$2,300 - \$3,250	\$2,800 - \$3,600
Median Rent	\$2,400	\$2,800	\$3,050

Address	BR	Rent	Distance
605 Seabright Ave, Santa Cruz, CA 95062	1	2300	1.4
318 Chestnut St Apt. 4, Santa Cruz, CA 95060	1	2500	0.6
318 Chestnut St Apt. 1, Santa Cruz, CA 95060	1	2500	0.6
105 Green St, Santa Cruz, CA 95060	1	2595	1
108 Sycamore St, Santa Cruz, CA 95060	1	2700	0.2
2500 Soquel Dr, Santa Cruz, CA 95065	1	2706	4.1
630 Water St, Santa Cruz, CA 95060	1	2795	1.5
630 Water St, Santa Cruz, CA 95060	1	2795	1.5
101 Felix St, Santa Cruz, CA 95060	1	2995	0.8
101 Felix St, Santa Cruz, CA 95060	1	2995	0.8
101 Felix St, Santa Cruz, CA 95060	1	2995	0.8
501 Plum St, Capitola, CA 95010	1	3100	4.3
201 River St, Santa Cruz, CA 95060	1	3250	1.1

501 Plum St, Capitola, CA 95010	1	3250	4.3
714 Pine St Unit #3, Santa Cruz, CA 95062	2	2800	1.1
708 Riverside Ave Unit A, Santa Cruz, CA 95060	2	2900	0.6
108 Sycamore St, Santa Cruz, CA 95060	2	3000	0.2
538 Ocean View Ave, Santa Cruz, CA 95062	2	3100	1
150-152 Leibrandt Ave, Santa Cruz, CA 95060	2	3500	0.6
1303 Laurel St, Santa Cruz, CA 95060	2	3600	1.1
19 Mary Case Ln, Santa Cruz, CA 95060	3	3995	0.6
127 Baldwin St, Santa Cruz, CA 95060	3	4975	1.3
114 Fairbanks St, Santa Cruz, CA 95060	3	5500	0.9
127 Mason St, Santa Cruz, CA 95060	3	5500	1.3
1401 Laurent St, Santa Cruz, CA 95060	3	5500	1.7
108 2nd St, Santa Cruz, CA 95060	Studio	1875	0.5
630 Water St, Santa Cruz, CA 95060	Studio	2395	1.5
220 Atlantic Ave Unit # 205, Santa Cruz, CA 95062	Studio	2450	1.6

Considering the availability of replacement housing resources described above, it appears is an adequate number of comparable replacement units for the residential occupants.

While adequate replacement resources exist for the tenants, based on survey results of rental opportunities and the tenants' current rent, the tenants may have an increase in monthly rent. Possible increases, if any, will be met through CRP's obligation under the relocation regulations, including Last Resort Housing (LHR) requirements.

### C. RELATED ISSUES

There are no known public projects anticipated in the Project area that will cause significant displacements during the timeframe of anticipated Project displacements. No residential displacee will be required to move without both adequate notice and access to available, comparable, affordable, decent, safe and sanitary housing.

## **IV. THE RELOCATION PROGRAM**

### **A. PROGRAM ASSURANCES AND STANDARDS**

The Developer's Relocation Program is designed to minimize hardship, be responsive to unique Project circumstances, emphasize maintaining personal contact with all affected individuals, consistently apply all regulatory criteria to formulate eligibility and benefit determinations and conform to all applicable requirements. The relocation program to be implemented by the Developer will conform with the standards and provisions of the Federal URA and regulations, as amended and updated, HUD Handbook 1378, HUD Section 104(d), the California Relocation Assistance Law, Government Code Section 7260, et seq. (Law), the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development and Title 25, California Code of Regulations Section 6000, et seq. (Guidelines), and SB330/SB8.

There are adequate funds to relocate the site occupants. Services will be provided to ensure that displacement does not result in different or separate treatment of tenants 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 VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

The Developer has retained OPC to administer the Relocation Program. OPC has worked on more than 5,000 public acquisition and relocation projects over more than 42 years. Additionally, OPC has an extensive resume of housing, redevelopment and public works projects undertaken in the Santa Cruz area and other Central California communities. Experienced Developer staff will monitor the performance of OPC and be responsible to approve or disapprove OPC recommendations concerning eligibility and benefit determinations and interpretations of the Developer's policy.

OPC staff will be available to assist any relocated person with questions about the relocation process, relocation counseling and/or assistance in relocating. Maggie Harry, OPC Program Manager, can be contacted at [mharry@gftinc.com](mailto:mharry@gftinc.com) or (800) 400-7356 from 8:00 am to 5:00 pm Monday through Friday and is available via voicemail and/or cellular phone after hours. The Relocation Office is located at **2000 Center Street, Suite 303, Berkeley, CA 94704**

### **B. NON-RESIDENTIAL RELOCATION ASSISTANCE PROGRAM**

As a function of a comprehensive relocation assistance program, OPC relocation staff will provide the displaced commercial occupants with required technical and advisory assistance and distribute all required notices and the informational handbook (**Exhibit C**). Close contact will be maintained with the business owners.

The Developer will provide relocation benefits in accordance with the URA and California Law and Guidelines. The Developer will pay benefits to the claimants upon submission of required claim forms and documentation in accordance with the Developer's approved procedures.

The business owners will have two options with respect to claims for relocation assistance benefits:

- 1) compensation for actual reasonable and necessary moving and related expenses; or
- 2) a fixed payment in lieu not to exceed \$53,200 (\$20,000 under the State regulations)

Off-site property owners whose sole business is considered to be the rental of real property to others are not eligible to receive a fixed payment but may file a claim for actual moving costs and compensation for reestablishment expenses described later in this section, unless the property is acquired through voluntary acquisition, as in the case of the acquisition of this Project site.

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

Any business, which qualifies as a displaced person, is entitled to payment for such actual moving expenses, as the Developer determines to be reasonable and necessary, including expenses for:

- a. Transportation of persons and property from the present location to the replacement location (transportation costs for a distance beyond 50 miles are not eligible, unless the Developer determines that relocation beyond 50 miles is justified);
- b. Packing, crating, uncrating, and unpacking personal property;
- c. 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;
- d. Storage of personal property for a period not to exceed 12 months, unless the Developer determines that a longer period is necessary;
- e. 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;
- f. Any license, permit, or certification required by the displaced business, to the extent that the cost is necessary for reestablishment at the replacement location. (These costs may be pro-rated based on the remaining useful life of any existing license, permit or certification);
- g. 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;
- h. Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the business operation including, but not limited to, soil testing, feasibility and marketing surveys;

- i. The purchase and installation of substitute personal property limited to the lesser of: (1) an amount equal to the reasonable expenses that would have been required to relocate the property, as determined by the Developer, subject to certain limitations, or, (2) the replacement cost, less any proceeds from its sale or trade in;
- j. Connection to available nearby utilities from the property line to improvements at the replacement site;
- k. The modification of machinery, equipment or other personal property necessary to adapt these to the replacement location or to utilities available at the replacement location;
- l. Relettering signs and replacing stationary on hand at the time of displacement that is made obsolete as a result of the move;
- m. 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 less any proceeds from sale of the property; or, (2) an amount equal to the reasonable expenses that would have been required to relocate the property, as determined by the Developer, subject to certain limitations;
- n. Actual and reasonable expenses incurred in searching for a replacement business or non-profit organization location, not-to-exceed \$5,000 (\$1,000 under the State regulations), and including compensation for transportation expenses; time spent searching for a reasonable location, meals, and lodging; real estate broker or agent fees; time spent in obtaining permits and attending zoning hearings; and time spent negotiating the purchase of a replacement site;
- o. Impact fees or one-time assessments for anticipated heavy utility usage;
- p. Low Value/High Bulk: when the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the Developer, the allowable moving cost payment shall not exceed the lesser of: (1) the amount which would be received if the property were sold at the site or (2) the replacement cost of a comparable quantity delivered to the new business location. Examples of personal property covered by this provision include, but are not limited to, stockpiled sand, gravel, minerals, metals and other similar items of personal property as determined by the Developer;
- q. A Reestablishment allowance of up to \$33,200 (\$10,000 under the State Regulations), 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) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint paneling or carpeting;
- 5) Advertisement of replacement location;
- 6) Estimated increased costs of operation during the first two 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
- 7) Other items essential to the reestablishment of the business.

## **2. Self-Moves**

If the displaced business owner elects to take full responsibility for the move of the business, the Developer will make a payment for the business's moving expenses in an amount not to exceed the lower of two acceptable bids or estimates submitted to the Developer. At the Developer's discretion, a payment for a low cost or uncomplicated move may be based on a single bid or estimate.

## **3. 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 relocation assistance compensation without providing documentation of bids and actual 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 may not be less than \$1,000, or more than \$53,200 (\$20,000 under the State Regulations).

To qualify for this payment, it must be determined that, a displaced business:

- owns or rents personal property, which must be moved in connection with such displacement and for which an expense would be incurred in such move;

- is not operated at the displacement site solely for the purpose of renting the dwelling or site to others;
- cannot be a part of a commercial enterprise having at least three other establishments which are not being acquired by the Developer, and which is under the same ownership and engaged in the same or similar business activities;
- must not be able to relocate without substantial loss of patronage; and
- contributed materially, as defined by the Developer, to the income of the displaced person during the two taxable years prior to displacement.

#### **4. Payment of Relocation Benefits**

Relocation benefit payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with the displacing entity within eighteen (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.

Procedures for preparing and filing claims and processing and delivering of payments will be as follows:

1. Claimant(s) to provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined in consultation with the Developer and required claim forms prepared by relocation staff in consultation with claimant.
3. Original signed claims supported by documentation and relocation staff recommendation will be submitted to the designated the Developer staff member or his/her designee.
4. Payments will be prepared and delivered to relocation staff for distribution. Payments will be delivered personally by relocation staff, unless circumstances dictate otherwise. When payments cannot be personally delivered, they will be sent by certified mail.
5. Payment receipts and other signed acknowledgments will be obtained by relocation staff and kept in the case file.
6. Unless otherwise instructed by the Developer, relocation staff will not deliver final payments until the project site premises occupied by the claimant has been completely vacated.
7. The Developer may provide an advance payment, when necessary, in order to assist with the securing of the replacement site.

## C. RESIDENTIAL RELOCATION ASSISTANCE PROGRAM

There is one residential tenant to be permanently displaced for the Project who is eligible for relocation assistance. The relocation program consists of two principal components: advisory assistance and financial assistance (Relocation Benefits).

### 1. *Advisory Assistance*

Advisory assistance services are intended to:

- inform displacees about the relocation program
- help in the process of finding appropriate replacement accommodations
- facilitate claims processing
- maintain a communication link with CRP
- coordinate the involvement of outside service providers

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

1. Distribute appropriate written information concerning CRP's relocation program;
2. Inform eligible project occupants of the nature of, and procedures for, obtaining available relocation assistance and benefits (**Exhibit B**);
3. Determine the needs of each displacee eligible for assistance;
4. Provide the residential displacees with at least three referrals to comparable replacement housing within a reasonable time prior to displacement. *Generally, a comparable replacement dwelling must satisfy the following criteria:*
  - (a) *The unit is decent, safe and sanitary - electrical, plumbing and heating systems are in good repair - no major, observable hazards or defects. The unit is adequate in size and is comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space as necessary to accommodate the displaced person. The unit is functionally equivalent, including principle features.*
  - (b) *The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person's place of employment.*

- (c) *The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion or, national origin.*
  - (d) *The monthly rental rate is within the financial means of the displaced residential tenant.*
- 5. Maintain an updated database of available housing resources, and distribute referral information to displacees for the duration of the Project;
- 6. Provide transportation to the residential displacee, if necessary, to inspect replacement sites within the local area;
- 7. Inspect replacement housing to assure it meets decent, safe and sanitary standards as described in State and Federal Relocation Regulations;
- 8. Supply information concerning federal and state programs and other governmental programs providing assistance to displaced persons;
- 9. Assist eligible occupants in the preparation, and submission, of relocation assistance claims;
- 10. Provide additional reasonable services necessary to successfully relocate occupants;
- 11. Make benefit determinations and payments in accordance with applicable law and the Developer's adopted relocation guidelines;
- 12. Assure that no occupant is required to move without a minimum of 180 days written notice to vacate under SB330, and 90 days written notice under the CRAL and URA;
- 13. Inform all persons subject to displacement of the Developer's policies with regard to eviction and property management;
- 14. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the Developer's decisions with respect to relocation assistance; and
- 15. Provide assistance that does not result in different or separate treatment based on or due to an individual's sex, marital status, race, color, religion, ancestry, national origin, physical handicap, sexual orientation, and domestic partnership status.

## **2. Residential Relocation Benefits**

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

Relocation benefits will be provided in accordance with the provisions of the applicable Relocation Law and Guidelines and the Developer’s rules, regulations and procedures pertaining thereto. Benefits will be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with the Developer’s normal administrative procedures.

The Developer will process advance payment requests to mitigate 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. Approved requests will be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

Tenants who are permanently displaced will be eligible for the following assistance:

**a. Residential Moving Expense Payments**

All eligible residential occupants to be permanently relocated will be eligible to receive a payment for moving expenses. Moving expense payments will be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

**1. Actual Cost (Professional Move) (URA, 104(d), and State)**

Displacees may elect to have a licensed professional mover perform the move. The actual cost of the moving services, based on at least two acceptable bids, will be compensated by the Developer in the form of a direct payment to the moving company upon presentation of an invoice. Transportation costs are limited to a distance of 50 miles in either case. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement.

**2. Fixed Payment (based on Room Count Schedule) (URA, 104(d), and State)**

An occupant may elect to receive a fixed payment for moving expenses which is based on the number of rooms occupied in the displacement dwelling or ancillary structures on the property. In this case, the person to be relocated takes full responsibility for the move. The fixed payment includes all utility connections as described in (a), above. The current schedule for fixed moving payments is set forth in **Table 4** following:

<b>TABLE 4: Schedule of Fixed Moving Payments (effective as of August 2021)</b>	
<b>Unfurnished Dwelling</b>	
One room	\$780
Two rooms	\$1,000
Three rooms	\$1,250
Four rooms	\$1,475
Five rooms	\$1,790
Six rooms	\$2,065
Seven rooms	\$2,380
Eight rooms	\$2,690
each additional room	\$285

Furnished Dwelling	
First Room	\$510
Each additional room	\$100

**3. Self-Move Payment (based on lowest most reasonable moving bid) (URA)**

The tenant may elect to claim a self-move payment based on the Owner-approved lowest, most reasonable moving bid by a professional mover (and based on at least two bids). In this case, the person to be relocated takes full responsibility for the move. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement. The Owner will deduct the fee portion of the moving bid that includes overhead and profit to the mover from the payment to the tenant.

**4. Credit Check and Application Fees (URA and 104(d))**

Under the URA, the displaced households may claim reimbursement of up to \$1,000 for actual costs incurred for credit check fees and application fees related to securing rental replacement housing. Under 104(d), eligible households may receive reimbursement for all credit check and application fees, as well as deposit assistance.

**b. Rental Assistance for Tenant Occupants Who Choose to Rent**

To be eligible to receive the rental assistance benefits under the URA, State or Section 104(d) programs, the displaced tenant household has to rent or purchase and occupy a decent, safe, and sanitary replacement dwelling within one year from the date they move from the displacement dwelling.

Under Section 104(d), Rental Assistance Payments will be calculated based upon the monthly housing need over a 60-month period for eligible occupants whose income level does not exceed 80% of the median income for the County of Santa Cruz, as established by the United States Department of Housing and Urban Development (HUD). Recipients of 104(d) benefits would also be eligible to receive reimbursement for a security deposit and credit check fees.

Except in the case of Last Resort Housing situations, payments to those households whose income level exceeds 80% of the area median income or whom have chosen benefits under the URA or State Regulations, will be payable over a 42-month period and limited to a maximum of \$9,570 as stated under URA guidelines (\$5,250 under State).

**Table 4** provides an example of how a Section 104(d) rental assistance eligibility amount is determined:

TABLE 4: Example Computation of Section 104(d) Rental Assistance Payments		
1. Adjusted Gross Income	\$600	30% of Household's Monthly Adjusted Gross Income*
-or-		
2. Gross Income	\$300	10% of Gross Monthly Household Income

3. Greater of lines 1 and 2	\$600	Total Tenant Payment
<b>Subtracted from the lesser of:</b>		
4. Actual New Rent	\$795	Actual New Rent (includes utilities)
<b>-or-</b>		
5. Comparable Rent	\$815	Set by Developer (includes utilities)
6. Lesser of lines 4 and 5	<b>\$795</b>	
<b>7. Monthly Need Amount</b>	<b>\$195</b>	<b>Subtract line 3 from line 6</b>
<b>Rental Assistance</b>	<b>\$11,700</b>	<b>Multiply line 7 (Monthly Need) by 60 months</b>

\*Adjusted gross income means the total monthly income of an individual household less the following: (1) a deduction of \$480 for each dependent; (2) a deduction of \$400 for an elderly 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.

**Table 5** on the following page portrays **an example** of a benefits determination under the URA and State Regulations:

<b>TABLE 5: Example Computation of URA/State Rental Assistance Payments</b>		
1. Old Rent	\$650	Old Rent and Utilities
<b>or</b>		
2. Ability to Pay	\$700	30% of the Gross Household Income (for Low Income Households)
3. Lesser of lines 1 <b>or</b> 2	<b>\$650</b>	Base Monthly Rental
<b>Subtracted From:</b>		
4. Actual New Rent	\$750	Actual New Rent and Utilities
<b>or</b>		
5. Comparable Rent	\$775	Determined by Developer (includes utilities)
6. Lesser of lines 4 <b>or</b> 5	<b>\$750</b>	
<b>7. Yields Monthly Need:</b>	<b>\$100</b>	Subtract line 3 from line 6
<b>Rental Assistance</b>	<b>\$4,200</b>	<b>Multiply line 7 by 42 months</b>

Rental Assistance payment amounts are equal to 42 times the difference between the base monthly rent 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.

The base monthly rent 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 Developer; or

(ii) Thirty percent (30%) of the displaced person's average, monthly gross household income **if the amount is classified as "low income" by the U. S. Department of Housing and Urban Development's (HUD) Annual Survey of Income Limits for the Public Housing and Section 8 Programs under the URA.** (HUD's Survey is shown as **Exhibit A**). If a displacee refuses to provide appropriate evidence of income or is a dependent, the base monthly rent shall be determined to be the average monthly cost for rent and utilities at the displacement dwelling; 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

### **c. Downpayment Assistance to Tenants Who Choose to Purchase**

The displaced household may opt to apply the entire benefit amount for which they are eligible under State and Federal Regulations toward the purchase of a replacement unit.

Residential tenants, who are otherwise eligible to receive the Rental Assistance Payment described above, may choose to receive a lump sum payment equal to forty-two months of rental subsidy (including Last Resort Housing benefits) to purchase a new home. Displacees who qualify for the 60-month calculation, and who want to convert their rental assistance entitlement to down payment assistance, must purchase a cooperative or mutual housing-type replacement home. If a conventional home is purchased, the rental assistance/down payment assistance payment is converted to a 42-month calculation per the URA.

A displaced household, who chooses to utilize up to the full amount of their rental assistance eligibility (including any Last Resort benefits) to purchase a home, will have the funds deposited in an open escrow account, provided that the entire amount is used for the downpayment and eligible, incidental costs associated with the purchase of a decent, safe, and sanitary replacement home. A provision shall be made in the escrow arrangements for the prompt return of CRP funds, in the event escrow should fail to close within a reasonable period of time.

Final determination about the type of relocation benefits and assistance for which the household is eligible will be determined upon verification of the household's occupants, ages, length of occupancy and income.

Adequate funds are available to relocate the displaced household. Relocation assistance services will be provided to ensure that displacement does not result in different or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

#### **D. PAYMENT OF RESIDENTIAL RELOCATION BENEFITS**

Claims and supporting documentation for residential relocation benefits must be filed with Developer no later than 18 months after the date of displacement, or receipt of a Notice of Eligibility, 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. Relocation and Developer staff will review all necessary documentation including, but not limited to, scopes-of-service, invoices, lease documents and escrow material before reaching a determination as to which expenses are eligible for compensation;
3. Required claim forms will be prepared by relocation staff and presented to the claimant for review. Signed claims and supporting documentation will be returned to relocation staff and submitted to Developer;
4. Developer will review and approve claims for payment, or request additional information;
5. Developer will issue benefit checks to claimants in the most secure, expeditious manner possible;
6. Final payments to residential displacees will be issued after confirmation that the Project premises have been completely vacated, and actual residency at the replacement unit is verified;
7. Receipts of payment and all claims materials will be maintained in the relocation case file.

#### **E. LAST RESORT HOUSING**

Based on data regarding the Project site occupant and costs of replacement housing resources, it is anticipated that “comparable replacement housing” may not be available as required for the households. Specifically, for renters, when the computed replacement housing assistance eligibility exceeds \$9,570 (\$5,250 State) or replacement dwelling monthly rental costs (including utilities and other reasonable recurring expenses) exceeds 30% of the person’s average monthly income, Last Resort Housing must be provided.

Therefore, if the Project is to go forward, the Owner will authorize funds to provide housing of last resort. In this situation, funds will be used to make payments in excess of the monetary limit specified in the statute (\$9,570 URA, \$5,250 State); hence, satisfying the requirement that “comparable replacement housing” is available.

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 \$9,570 (\$5,250 State) or replacement dwelling monthly rental costs (including utilities and other reasonable recurring expenses) exceed 30% of the person's average monthly income (financial means) or when a tenant fails to meet the 90-day occupancy requirement and comparable replacement rental housing is not available within the displaced person's financial means. Calculations of Last Resort rental assistance benefits for tenants who fail to meet the 90-day occupancy requirement will be based solely on household income. Non-90-day qualifiers must meet basic eligibility requirements applied to all other displacees.

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.

#### **F. RELOCATION TAX CONSEQUENCES**

In general, relocation payments are not considered income for the purpose of Division 2 of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986 (Title 26, U. S. Code), or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act (42 U. S. Code 301 et seq.) or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part II (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. The above statement on tax consequences is not intended as tax advice by the Developer. Tenants are responsible for consulting with their own tax advisors concerning the tax consequences of relocation payments.

## V. ADMINISTRATIVE PROVISIONS

### A. NOTICES

Each notice, which the Developer is required to provide to all Project occupants, shall be personally delivered or sent by certified or registered first-class mail, return receipt requested and documented in the case file. Each notice will be written in plain, understandable language. Persons who are unable to read and understand any notice will be provided with appropriate translation and counseling. Each notice will indicate the name and telephone number of a person who may be contacted for answers to questions or other needed help.

There are four principal notices:

- 1) General Information Notice
- 2) Informational Statement
- 3) Notice of Relocation Eligibility
- 4) 90-Day Vacate Notice

The General Information Notice (GIN) is intended to provide potential relocatees with a general written description of the Owner's relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights (**Exhibit B**). The GIN is issued as early as is feasible in the initial stages of a Project, preferably, the planning stage. GINs will be issued to all Site occupants in **November 2025**. The Developer anticipates submitting for federal funds in **November 2025**.

The Informational Statement is intended to provide potential displacees with a general written description of the Developer's relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights (**Exhibit C**). The Informational Statement is issued as early as is feasible to the impacted residents in the initial stages of a Project once financing has been secured. Tenants will be provided with an information statement in **January 2026**.

A Notice of Relocation Eligibility (NOE) will be distributed to the tenants (**Exhibit D**). The NOE to business operators acknowledges the recipient's eligibility for assistance, their right to make claims for relocation assistance benefits, and a description of the benefits available to them. The NOE to the residential tenants contains a determination of eligibility for relocation assistance under specific relocation programs and a computation of maximum entitlements based on information provided by the affected household and the analysis of comparable replacement properties identified by relocation staff. The NOE is anticipated to be issued to all tenants in **February or March 2026**, no less than 90 days before displacement.

No lawful residential occupant will be required to move without having received at least 180 days advance written notice of the earliest date by which the move will be necessary, as required under SB330/SB8 (**Exhibit E**). All lawful site occupants will be provided with at least 90-days' written notice by the early date they must vacate. The 90-day vacate notice will either state a specific date as the earliest date by which the occupant may be required to move or state that the occupant will receive a further notice indicating, at least 30 days in advance, the specific date of the required move.

In addition to the four principal notices, relocation staff will issue timely written notification in the form of a Reminder Notice, which discusses the possible loss of rights and sets the expiration date for the loss of benefits to those persons who:

- 1) are eligible for monetary benefits,
- 2) have moved from the acquired property, and
- 3) have not filed a claim for benefits.

Reminder Notices will be issued prior to the end of the qualification period. An attempt shall be made to make written contact with any non-responsive relocatee no later than within the last six months prior to the filing expiration date.

## **B. EVICTION POLICY – NON-RESIDENTIAL**

The Developer recognizes that eviction is permissible only as a last resort and that relocation records must be documented to reflect the specific circumstances surrounding any eviction. Eviction will only take place in cases of nonpayment of rent, serious violation of the rental agreement, a dangerous or illegal act on the premises, or if the business refuses all reasonable offers to move. If the business is evicted for cause, this may result in the loss of all potential relocation benefits for the business.

## **C. EVICTION POLICY – RESIDENTIAL**

Eviction may cause the forfeiture of a displacee's right to relocation assistance or benefits. Relocation records will be documented to reflect the specific circumstances surrounding any eviction action.

Eviction may be undertaken 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 Owner's failure to keep the premises in habitable condition; is the result of harassment or retaliatory action; or, is the result of discontinuation, or a substantial interruption of services;
- (b) Performance of a dangerous, and/or illegal act in the unit;
- (c) A material breach of the rental agreement, and failure upon notification to correct said breach within 30 days of Notice;
- (d) Maintenance of a nuisance, and failure to abate such nuisance upon notification within a reasonable time following Notice;
- (e) Refusal to accept one of a reasonable number of offers of replacement dwellings; and/or,
- (f) A requirement under State, or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the Owner.

## **D. IMMIGRATION STATUS**

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally-funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. However, the Developer will pay benefits to a non-legally present, but otherwise eligible, business owner with non-federal funds, and the displacee will be eligible for relocation assistance per the State Relocation Regulations which have no legal presence requirement.

In order to track and account for relocation assistance and benefit payments, the Developer will be required to seek immigration status information from the business owner and/or partner(s) having them self-certify as to their legal status.

#### **E. PRIVACY OF RECORDS**

All information obtained from the tenants is considered confidential and will not be shared without the consent of the tenant or the Developer. Relocation staff will comply with federal regulations concerning the safeguarding of relocation files and their contents.

#### **F. APPEALS POLICY**

A person who is dissatisfied with a determination as to eligibility for benefits, a payment amount, or the Developer's property management practices may file a Relocation Assistance Appeal Form or any other written form of appeal with the Developer and have the right of administrative review. The Developer's appeal policies will follow the standards described in Article 5, Section 6150 et seq., Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines.

Requests for administrative review and informal hearings will be directed to the Developer's Manager. All requests for review will receive written responses from the Developer within three weeks of their receipt. If an informal appeal is denied, appellants will be entitled to file a written request for a formal hearing before an impartial and independent hearing officer.

The tenant does not have to exhaust administrative remedies first; the appeal/grievance can either go directly to the Developer, directly to HCD or directly to the Court. Any person and/or organization directly affected by the relocation plan may petition the Department of Housing and Community Development (HCD), located at 651 Bannan St, Sacramento, CA 95811 to review the relocation plan or may contact HCD at 916-263-2769.

More detail concerning the appeals process will be provided upon request. Appellants will retain their appeal rights for up to 18 months following the date of displacement from the Project premises or receipt of final payment for relocation benefits, whichever is later.

#### **G. CITIZEN PARTICIPATION**

The Developer will keep residents informed of the relocation through letters, notices, and individual outreach.

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

1. Provide the affected tenants with full and timely access to documents relevant to the relocation program;
2. Allow meaningful participation in reviewing the Relocation Plan and monitoring the relocation assistance program;

3. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials (each tenant will be provided with a copy of the draft Relocation Plan for review in November 2025);
4. Issue a general advisory notice to each Project occupant concerning the availability of the Plan for public review, as required, 30 days prior to its proposed adoption; and
5. Include written or oral comments concerning the Plan as an attachment (**Exhibit F**) when it is forwarded to the local governing agency for approval.

## **H. PROJECT DATES OF DISPLACEMENT**

The residential tenants are anticipated to receive their 180-day notice in **January 2026**. The commercial tenant will receive a 90-day vacate notice in **February or March 2026**. The Site is expected to be fully vacant in **July 2026**.

## **I. ESTIMATED RELOCATION COSTS**

The total estimated cost to relocate the residential tenants and commercial tenant, including a 20% contingency, ranges from **\$963,150.00 to \$1,395,720.00 (rounded)**.

This estimate should not be interpreted as firm, “not to exceed,” or actual entitlement costs. The estimate is based on the data obtained from the Developer, replacement site availability, estimated moving costs, and the judgment and experience of the OPC staff. The estimate **does not** include any compensation for acquisition of property or include any provision for professional fees necessary for appraisals or to implement the Relocation Assistance Program.

## EXHIBIT A

### HUD INCOME LIMITS – SANTA CRUZ COUNTY

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

Area Median - \$132,800

Household Size	1	2	3	4	5	6	7	8
Very Low	69,250	79,100	89,000	98,900	106,800	114,700	122,650	130,550
Extremely Low	41,550	47,500	53,450	59,350	64,100	68,850	73,600	78,350
Low	111,100	127,000	142,850	158,700	171,400	184,100	196,800	209,500

Figures are per the Department of Housing and Urban Development (California), **updated in April 2025.**

## **EXHIBIT B**

### **GENERAL INFORMATION NOTICE**

# General Information Notice

Non-Residential Occupant to Be Displaced

<<DATE>>

<<NAME>>

<<BUSINESS/ORGANIZATION NAME>>

<<MAILING ADDRESS>>

<<CITY, STATE ZIP>>

Dear <<NAME>>:

The <<**CLIENT NAME**>> (called here the "Displacing Agency") is interested in demolishing and redeveloping the property you currently occupy at <<**SITE ADDRESS**>> for the <<**PROJECT NAME**>> (called here the "Project"). This notice is to inform you of your rights under Federal and/or State law. If the Displacing Agency is approved for funding and you are displaced for the Project, you will be eligible for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended and California Relocation Assistance Law (Sec 7260 et. seq. of the CA Government Code).

**However, you do not have to move now.**

**This is not a notice to vacate the premises or a notice of relocation eligibility.**

The Displacing Agency has retained the professional firm of Overland, Pacific & Cutler, LLC (OPC) to represent the Agency and assist in the relocation process.

If you rent or lease your unit, you should continue to pay your monthly rent to your landlord because failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. You are urged not to move or sign any agreement to purchase or lease a unit before receiving formal notice of eligibility for relocation assistance. If you move or are evicted before receiving such notice, you will not be eligible to receive relocation assistance. Please contact us before you make any moving plans. If the Displacing Agency is approved for funding and you are eligible for relocation assistance, you will be given advisory services, including referrals to replacement sites, and at least 90 days advance written notice of the date you will be required to move. You would also receive either a payment for actual moving and reestablishment expenses, or a fixed payment in lieu of a payment for actual moving and reestablishment expenses.

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally-funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. 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 within the United States. Owners of sole proprietorships or partnerships, who are not lawfully present in the United States, or who decline to provide this information, are not eligible for relocation assistance, unless such eligibility would result in exceptional hardship to a qualifying spouse, parent, or child. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the United States.

Again, this is not a notice to vacate and does not establish eligibility for relocation payments or other relocation assistance. If the Displacing Agency decides not to purchase the property, you will be notified in writing.

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

If you have any questions about this or any other relocation issues, please contact me at the address and the phone number below.

Sincerely,

**<<PROJECT MANAGER NAME>>**

**<<PROJECT MANAGER TITLE>>**

Overland, Pacific & Cutler, LLC

**<<OFFICE ADDRESS>>**

Phone **<<PHONE>>**

# General Information Notice

## Residential - To Be Displaced

<<DATE>>

<<NAME>> and All Other Occupants  
<<ADDRESS>>

Dear Occupants:

<<NAME>> (called here the "Displacing Agency") is interested in acquiring and developing the property you currently occupy at <<ADDRESS>> (Site) for the <<NAME>> (Project). This notice is to inform you of your rights under Federal and/or State Law. If the Displacing Agency is approved for funding, and you are permanently displaced for the Project, you may be eligible for relocation assistance under the California Relocation Assistance Law (Sec 7260 et. seq. of the CA Government Code) and/or Uniform Relocation Act (URA), as amended.

**However, you do not have to move now.**  
**This is not a notice to vacate the premises or a notice of relocation eligibility.**

The Displacing Agency has retained the professional firm of **Overland, Pacific & Cutler, LLC, a GFT Company (OPC)**, to represent the Displacing Agency and assist in the relocation process. If the Project proceeds and you are permanently displaced, and you are eligible for relocation assistance, you will be given advisory services, including referrals to replacement housing, and at least 180 days advance written notice of the date you will be required to move. You would also receive payment for moving expenses and may be eligible for financial assistance to help you rent or buy a replacement dwelling.

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

Note that pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States. However, non-federal funds will be used to provide relocation assistance to non-legally present persons who are otherwise eligible for assistance.

If you rent your unit, you should continue to pay your monthly rent to your landlord because failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. **You are urged not to move or sign any agreement to purchase or lease a unit before receiving a formal notice of eligibility for relocation assistance. If you move or are evicted before receiving such notice, you will not be eligible to receive relocation assistance.** Please contact us before you make any moving plans.

Again, this is not a notice to vacate and does not establish eligibility for relocation payments or other relocation assistance. If you have any questions about this or any other relocation issues, please contact <<NAME>> at <<NUMBER>>.

Sincerely,

<<NAME>>

<<TITLE>>

Overland, Pacific & Cutler, LLC, a GFT Company

<<ADDRESS>>

Phone <<NUMBER>>

**EXHIBIT C**

**INFORMATIONAL NOTICE**

**Relocation Assistance Informational Statement**  
**Business, Farm & Nonprofit**  
(Federal and State)

Displacing Agency:

**CRP Affordable Housing and Community Development**

Project Name:

**407-409 and 413 Pacific Project**

**Displacing Agency Representative:**

Overland, Pacific & Cutler, LLC (OPC),  
5000 Airport Plaza Drive, Suite 250  
Long Beach, CA 90815  
Phone: 800.400.7356

Spanish speaking agents are available. Si necesita esta información en español, por favor llame a su agente.

# **Informational Statement for Business, Farm & Non-Profit**

(Federal and State)

## **Introduction**

The property on which you now conduct your business is in an area to be improved by, or financed through, the Displacing Agency using federal and/or state funds. If and when the project proceeds, and it is necessary for you to move your business, you may be eligible for certain benefits. 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 the relocation benefits you may receive under the law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits or it may take longer to pay you. We suggest you save this informational statement for reference.

The Displacing Agency has retained the professional firm of **Overland, Pacific & Cutler, LLC (OPC)** to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover. Maggie Harry, OPC Program Manager, can be contacted at [mharry@gftinc.com](mailto:mharry@gftinc.com) or (800) 400-7356 from 8:00 am to 5:00 pm Monday through Friday and is available via voicemail and/or cellular phone after hours. The Relocation Office is located at 1101 Marina Village Parkway, Suite 201, Alameda, CA 94501.

**PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE THE PROPERTY.** However, if you desire to move sooner than required, you must contact your relocation agent at OPC, so you will not jeopardize any benefits. This is a general informational brochure only and is not intended to give a detailed description of either the law or regulations pertaining to the Displacing Agency's relocation assistance program.

**Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive.**

## **Summary of Available Relocation Assistance:**

- A.** Advisory assistance to explain the relocation process, the related eligibility requirements, the procedures for obtaining reimbursement for moving expenses and referrals to suitable replacement locations
- B.** Payment for your moving expenses. You may receive one of the following options:
  - Option 1: A Payment for Actual Reasonable Moving and Related Expenses;** or
  - Option 2: A Fixed Payment In Lieu of a Payment for Actual Moving and Related Expenses**
- 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 Displacing Agency's decision as to your right to a relocation payment, or the amount of the payment, you may appeal that decision.

## **GENERAL RELOCATION QUESTIONS**

### **1. How Will I Know I Am Eligible for Relocation Assistance?**

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

### **2. How Will the Displacing Agency Know How Much Help I Need?**

You will be contacted at an early date and personally interviewed by an agent of the Displacing Agency. The interviewer will want to get information about your current operation, as well as identify movable personal property and non-movable improvements, determine your needs and preferences for a replacement location, estimate the time required to vacate the premises and your need for advance payments. During the interview, you may want to discuss other issues relative to your move. It is to your advantage to provide as much information as possible so that the Displacing Agency, through its relocation agent, can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

### **3. How Soon Will I Have to Move?**

Every reasonable effort will be made to provide you with sufficient time to find a suitable replacement location and reestablish your business. 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 Displacing 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.

### **4. 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 Displacing 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).

### **5. Will I Have to Pay Rent to the Displacing Agency Before I Move?**

You may be required to pay a fair rent to the Displacing Agency for the period between the acquisition of your property and the date that you move. Your rent and the terms of your tenancy will be generally the same as in the prior arrangement.

### **6. How Will I Find a Replacement Location?**

Your relocation agent will provide you with current and continuing information on available replacement locations that meet your needs. You will also be provided with the names of local real estate agents and brokers who can assist you in finding the type of replacement location you

require. However, you are urged to take an active role in identifying, and relocating to, a location of your choice. No one knows your needs better than you do. You will want a facility that provides sufficient space for your planned activities. You will also want to ensure that there are no zoning or other requirements which will unduly restrict your planned operations. Your relocation agent will explain which kind of moving costs are eligible for reimbursement and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

## **7. What Other Assistance Will Be Available to Help Me?**

In addition to helping you find a suitable replacement location, your relocation agent will help you secure the services of outside specialists, as necessary, to plan the move, as well as provide assistance during the actual move and in the reinstallation of machinery and/or other personal property. The range of services depends on the needs of the business being displaced. You should ask the Displacing Agency's relocation agent to tell you about the specific services that will be available to you.

## **8. I Have a Replacement Location and Want to Move. What Should I Do?**

Before you make any arrangements to move, notify the Displacing Agency's relocation agent, in writing, of your intention to move. This should be done at least 30 days before the date you begin your move. The Displacing 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.

## **9. I Plan to Discontinue My Business Rather than Move. What Should I Do?**

If you have decided to discontinue your business rather than reestablish it, you may still be eligible to receive a payment. Contact the Displacing Agency's relocation agent 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.

## **10. What Kinds of Payments for Moving Expenses Will I Receive?**

A displaced business is eligible for a relocation payment to cover the reasonable cost of moving. Assuming you meet certain eligibility criteria, you may choose one of the following options:

**Option 1:** A Payment for Actual Reasonable Moving and Related Expenses; or

**Option 2:** A Fixed Payment In Lieu of Moving and Related Expenses

These payment options are described below and on the following pages:

### **Option 1: 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:

1. Transportation of personal property. Transportation costs for a distance beyond 50 miles are not eligible, unless the Displacing Agency determines that relocation beyond 50 miles is justified.

2. Packing, crating, unpacking, and uncrating of the personal property.
3. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and certain substitute personal property. This includes connection to utilities available within the building. It also includes modifications to the personal property, including those mandated by Federal, State or local law, code or ordinance, necessary to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property.
4. Storage of the personal property determined to be necessary by the Displacing Agency, not to exceed 12 months, unless the Displacing Agency determines that a longer period is warranted.
5. Insurance for the replacement value of the personal property in connection with the move and necessary storage.
6. The replacement value of property lost, stolen or damaged in the process of moving (not through fault or negligence of the displaced person, his or her agent or employee), where insurance covering such loss, theft or damage is not reasonably available.
7. Any license, permit, fees or certification required of your business at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, fees or certification.
8. Reasonable and preauthorized professional services, the Displacing Agency determines to be necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing the relocated personal property at the replacement location.
9. Re-lettering signs and replacing stationary on hand at the time of displacement that is made obsolete as a result of the move.
10. Actual direct loss of tangible personal property incurred as a result of moving or discontinuing your business. The payment will consist of the lesser of:
  - (i) The fair market value in place of the item, as is for continued use at the displacement site, less the proceeds from its sale. (To be eligible for payment, you must make a good faith effort to sell the personal property, unless the Displacing Agency determines that such effort is not necessary. When payment for property loss is claimed for goods held for sale, the fair market value will be based on the cost of the goods to the business, not the potential selling price.); or
  - (ii) The estimated cost of moving the item as is, but with no allowance for storage; or for reconnecting a piece of equipment if the equipment is in storage or not being used at the acquired site. (If you elect to discontinue your business, the estimated cost will be based on a moving distance of 50 miles.)
11. Purchase of substitute personal property. If an item of personal property which is used as part of your business is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, you will be entitled to payment for the lesser of:

- (i) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or
  - (ii) The estimated cost of moving and reinstalling the replaced item but with no allowance for storage. At the Displacing Agency's discretion, the estimated cost for a low cost or uncomplicated move may be based on a single bid or estimate.
12. The reasonable cost incurred in attempting to sell an item that is not to be relocated.
13. Searching for a replacement location. Your business is entitled to reimbursement for actual expenses, not to exceed \$5,000 (\$1,000 under State) as the Displacing Agency determines to be reasonable, which are incurred in searching for a replacement location including:
- i) Transportation
  - ii) Meals and lodging away from home.
  - iii) Time spent searching, based on reasonable salary or earnings.
  - iv) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site.
  - v) Time spent in obtaining permits and attending zoning hearings; and
  - vi) Time spent negotiating the purchase of a replacement site based on a reasonable salary or earnings.
- (The Displacing Agency may allow a one-time payment of \$1,000 for search expenses with minimal or no documentation as an alternative payment method).
14. When the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the Displacing Agency, the allowable moving cost payment shall not exceed the lesser of: the amount which would be received if the property were sold at the site or the replacement cost of a comparable quantity delivered to the new business location.
15. Other related moving expenses as the Displacing Agency determines to be reasonable and necessary, including:
- i) Connection to available nearby utilities from the replacement site property line to the improvements at the replacement site;
  - ii) Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for your business operation, including but not limited to soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). At the Displacing Agency's discretion, a reasonable pre-approved hourly rate may be established
  - iii) Impact fees or one-time assessments for anticipated heavy utility usage, as determined by the Displacing Agency.

The Displacing Agency's relocation agent 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, so keep all your receipts. The Displacing 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 a self-move is based on the amount of the lowest, most reasonable bid or estimate obtained or developed by the Displacing 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 Displacing 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 reimbursed by the Displacing Agency or, if you prefer, you may have the Displacing Agency pay the mover directly. In either case, let the Displacing Agency's relocation agent know before you move. The Displacing Agency agent 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 Displacing 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 Displacing Agency before you may receive the payment.

In addition to the reimbursable expenses described above, a small business, farm or non-profit organization may be eligible to receive a payment of up to \$33,200 (\$10,000 under State) for expenses actually incurred in relocating and reestablishing its operation at a replacement site. Eligible expenses must be reasonable and necessary, as determined by the Displacing Agency. They may include but are not limited to the following:

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 the business.
3. Construction and Installation costs for exterior signage to advertise the business.
4. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.
5. Advertising of replacement location.
6. 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)
7. Other items that the Displacing Agency considers essential to the reestablishment of the business.

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

- Purchase of capital assets, such as, office furniture, filing cabinets, and machinery or trade fixtures.
- Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.
- Interest costs associated with any relocation expense or the purchase of replacement property.
- Payment to a part-time business in the home which does not contribute materially to the household income.
- Constructing a new facility such as a new business building on a vacant replacement property or substantially constructing, rehabilitating or reconstructing a building.

**Option 2: Fixed Payment In Lieu of a Payment for Actual Reasonable Moving and Related Expenses**

A displaced business, non-profit organization or farm may be eligible to choose a fixed payment in lieu of the payments for actual moving and related expenses and actual reasonable reestablishment expenses. The payment may not be less than \$1,000.00 or more than \$53,200.00 (\$20,000 under State). For a business or farm, the payment is based on the average annual net earnings before Federal, State and local income taxes during the 2 taxable years immediately prior to the taxable year in which it was displaced. For a non-profit organization, the payment is based on the average of 2 years annual gross revenues less administrative expenses.

In order to qualify for this payment, the Displacing Agency must determine that:

1. The business owns or rents 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. The business cannot be relocated without a substantial loss of existing patronage (clientele or net earnings).
3. The business is not a part of a commercial enterprise having more than three other entities which are not being acquired by the Displacing Agency, and which are engaged in the same or similar business activities.
4. The business is not operated at the displacement dwelling/site solely for the purpose of renting such dwelling/site to others.
5. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

If the business or farm was not in operation for the full two years prior to displacement, the net earnings are 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 Displacing Agency determines it to be more equitable. Net earnings include any compensation paid to the owners of the business, a spouse or dependents. Proof of net earnings must be furnished to the Displacing Agency through income tax returns, certified financial statements, or other reasonable evidence which the Displacing Agency determines is satisfactory.

For a qualified non-profit organization, gross earnings may include membership fees, class fees, cash donations, tithes and receipts from sales or other forms of fund collection that enables the non-profit organization to operate. Administrative expenses are those for administrative support such as rent, utilities, salaries, advertising and other like items as well as fund raising expenses. Operating expenses for carrying out the purposes of the non-profit organization are not included in administrative expenses. The monetary receipts and expense amounts may be verified with certified financial statements or financial documents required by public agencies.

The Displacing Agency will inform you as to your eligibility for this payment option and the documentation you must submit to support your claim. Remember, when you elect to take this payment option you are not entitled to reimbursement for any other moving expenses, i.e. **Option A** described above.

### **11. 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 Displacing Agency, less the proceeds from its sale, or (2) the estimated cost of moving the sign without temporary storage. The Displacing Agency will inform you as to the exact costs that may be reimbursed.

### **12. How do I Receive a Relocation Payment?**

You must file a claim for a relocation payment. The Displacing Agency's relocation agent 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 Displacing 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 Displacing 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.

### **13. Non-Discrimination**

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Displacing Agency's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title

VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the Displacing Agency.

#### **14. Appeals**

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

#### **15. Tax Status of Relocation Benefits**

Federal regulations (49 CFR Part 24, Section 24.209) indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees should consult with their own tax advisor or legal counsel to determine the current status of such payments.

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

#### **16. Lawful Presence Requirement**

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally-funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. 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 within the United States. Owners of sole proprietorships or partnerships, who are not lawfully present in the United States, or who decline to provide this information, are not eligible for relocation assistance, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the United States.

However, the Owner will use other non-federal sources to provide relocation benefits to persons who would be otherwise eligible.

#### **17. Additional Information**

If you have further questions after reading this brochure, please contact the Displacing Agency's relocation agent at <<**CONTACT INFO**>>.



**Relocation Assistance Informational Statement**  
**Families and Individuals**  
(Federal and State)

Displacing Agency:

**CRP Affordable Housing and Community Development**

Project Name:

**407-409 and 413 Pacific Project**

**Displacing Agency Representative:**

Overland, Pacific & Cutler, LLC (OPC),  
5000 Airport Plaza Drive, Suite 250  
Long Beach, CA 90815  
Phone: 800.400.7356

**Informational Statement Content:**

1. General Information
2. Assistance in Locating a Replacement Dwelling
3. Moving Benefits
4. Replacement Housing Payment - Tenants and Certain Others
5. Qualification for and Filing of Relocation Claims
6. Last Resort Housing Assistance
7. Rental Agreement
8. Evictions
9. Appeal Procedures – Grievance
10. Tax Status of Relocation Benefits
11. Legal Presence Requirement
12. Non-Discrimination and Fair Housing
13. Additional Information and Assistance Available

**Spanish speaking agents are available. Si necesita esta información en español, por favor llame a su agente.**

# Informational Statement for Families and Individuals

(Federal and State)

## **1. GENERAL INFORMATION**

The dwelling in which you now live is in a project area to be improved by, or financed through, the Displacing Agency using federal and/or state funds. If and when the project proceeds, and it is necessary for you to move from your dwelling, you may be eligible for certain benefits. 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 the relocation benefits you may receive under the federal law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits, or it may take longer to pay you. We suggest you save this informational statement for reference.

The Displacing Agency has retained the professional firm of OPC, a GFT Company, to provide relocation assistance to you. The firm is available to explain the program and benefits. Maggie Harry, OPC Program Manager, can be contacted at mharry@gftinc.com or (800) 400-7356 from 8:00 am to 5:00 pm Monday through Friday and is available via voicemail and/or cellular phone after hours. The Relocation Office is located at 1101 Marina Village Parkway, Suite 201, Alameda, CA 94501.

**PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING.** However, if you desire to move sooner than required, you must contact your representative with OPC, so you will not jeopardize any benefits. This is a general informational brochure only and is not intended to give a detailed description of either the law or regulations pertaining to the Displacing Agency's relocation assistance program.

**Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive.**

## **2. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING**

The Displacing Agency, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself. When a suitable replacement dwelling unit has been found, your relocation agent will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

## **3. MOVING BENEFITS**

If you must move as a result of displacement by the Displacing Agency, you will receive a payment to assist in moving your personal property. The actual, reasonable and necessary expenses for moving your household belongings may be determined based on the following methods:

- A Fixed Moving Payment based on the number of rooms you occupy (see below); **or**
- A payment for your Actual Reasonable Moving and Related Expenses based on at least

- two written estimates and receipted bills; **or**
- A combination of both (in some cases).

For example, you may choose a Self-Move, receiving a payment based on the Fixed Residential Moving Cost Schedule shown below, plus contract with a professional mover to transport your grand piano and/or other items that require special handling. In this case, there may be an adjustment in the number of rooms which qualify under the Fixed Residential Moving Cost Schedule.

**A. Fixed Moving Payment (Self-Move)**

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 Displacing Agency, and ranges, for example, from \$510.00 for one furnished room to \$2,690.00 for eight rooms in an unfurnished dwelling. (For details see the table). Your relocation agent will inform you of the amount you are eligible to receive, if you choose this type of payment.

If you select a fixed payment, you will be responsible for arranging for your own move, and the Displacing Agency will assume no liability for any loss or damage of your personal property. A fixed payment also includes utility hook-ups and other related moving fees.

<b>Fixed Moving Schedule CALIFORNIA (Effective 2021)</b>	
<b>Occupant Owns Furniture:</b>	
1 room	\$780
2 rooms	\$1,000
3 rooms	\$1,250
4 rooms	\$1,475
5 rooms	\$1,790
6 rooms	\$2,065
7 rooms	\$2,380
8 rooms	\$2,690
Each additional room	\$285
<b>Occupant does NOT Own Furniture:</b>	
1 room	\$510
Each additional room	\$100

**B. Self-Move Expense (Based on Professional Move Bids) (Federal Only)**

You may elect to claim a self-move payment based on the Displacing Agency-approved lowest, most reasonable moving bid by a professional mover (and based on at least two bids). In this case, you take full responsibility for the move. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement. The Displacing Agency will deduct the fee portion of the moving bid that includes overhead and profit to the mover from your payment.

**C. Actual Moving Expense (Commercial Move)**

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

**D. Deposits, Credit Check, and Application Fees**

You may claim reimbursement for all actual costs incurred for credit check fees and application fees related to securing rental replacement housing, plus deposit assistance, under Section 104(d).

You may claim reimbursement of up to \$1,000 for actual costs incurred for credit check fees and application fees related to securing rental replacement housing under the URA.

#### **4. REPLACEMENT HOUSING PAYMENT – TENANTS AND CERTAIN OTHERS**

You may be eligible for a payment up to \$9,570.00 (\$5,250 under State) (payment may be larger under Last Resort Housing) to assist in renting or purchasing a comparable replacement dwelling. To qualify, you must be a tenant who has occupied the present dwelling for at least 90 days immediately prior to the initiation of negotiations.

- A. **Rental Assistance.** If you **wish to rent** your replacement dwelling, your maximum rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or thirty percent (30%) of your monthly household income if your total gross income is classified as “low income” by the U. S. Department of Housing and Urban Development’s (HUD) Annual Survey of Income Limits for Public Housing and Section 8 Programs. You will be required to provide your relocation agent with monthly rent and household income verification prior to the determination of your eligibility for this payment.
- B. **Rental Assistance Under Section 104(d).** If you are a low-income household (below 80% Area Median Income as classified by HUD) and **wish to rent** your replacement dwelling, your maximum rental assistance benefits will be based upon the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling, and your Total Tenant Payment, multiplied by 60 months. Total Tenant Payment is the highest of:

- (1) 30% of monthly household adjusted income; **or**
- (2) 10% of monthly household gross income.

You will be required to provide your relocation agent with monthly rent and household income verification prior to the determination of your eligibility for this payment. You must be low-income to qualify for payments under Section 104(d).

**- OR -**

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

#### **5. 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 date you move from the displacement dwelling.

All claims for relocation benefits must be filed with the Displacing Agency **within eighteen (18) months** from the date on which you move from the displacement dwelling for tenants, and the date the owner moves from the displacement dwelling or receives final payment for the acquisition of the displacement property, whichever is later, for owner-occupants.

#### **6. 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 Displacing 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 agent 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 your rental assistance and Last Resort eligibility must be applied toward the down-payment and eligible incidental expenses of the home you intend to purchase.

## **7. RENTAL AGREEMENT**

As a result of the Displacing Agency's action to purchase the property where you live, you may become a tenant of the Displacing Agency. 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.

## **8. EVICTIONS**

Eviction for cause must conform to applicable State and local law. Any person who lawfully occupies the real property on the date of initiation of negotiations is presumed to be entitled to relocation benefits, unless the Displacing Agency determines that:

- The person received an eviction notice prior to the initiation of negotiations and, as a result, was later evicted; or
- The person is evicted after the initiation of negotiations for serious or repeated violation of material terms of the lease; and
- The eviction was not undertaken for the purpose of evading relocation assistance regulations.

Except for the causes of eviction set forth above, no person lawfully occupying property to be purchased by the Displacing Agency will be required to move without having been provided with at least 90 days written notice from the Displacing Agency.

## **9. APPEAL PROCEDURES - GRIEVANCE**

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

## **10. TAX STATUS OF RELOCATION BENEFITS**

Federal regulations (49 CFR Part 24, Section 24.209) indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees should consult with their own tax advisor or legal counsel to determine the current status of such payments.

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

## **11. LAWFUL PRESENCE REQUIREMENT**

In order to be eligible to receive relocation benefits in federally funded relocation projects, all members of the household to be displaced must provide information regarding their lawful presence in the United States. Any member of the household who is not lawfully present in the United States or declines to provide this information may be denied relocation benefits, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US.

**There is no legal presence requirement** in order to be eligible for relocation assistance under the California State Relocation Program or Section 104(d), and all eligible Project occupants will be offered assistance under these relocation programs regardless of immigration status.

## **12. NON-DISCRIMINATION AND FAIR HOUSING**

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Displacing Agency's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination and fair housing laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the Displacing Agency.

## **13. 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 agent at OPC.

**EXHIBIT D**

**NOTICE OF ELIGIBILITY**

# NOTICE OF ELIGIBILITY

Business (Federal & CA)

<<DATE>>

<<OWNER NAME>>  
<<BUSINESS NAME>>  
<<STREET ADDRESS>>  
<<CITY STATE, ZIP>>

Your Relocation Consultant	
Name:	<<CONSULTANT NAME>>
Phone:	<<OFFICE PHONE>>
Your Case ID:	<<CASE ID>>

Dear <<NAME>>:

<<DISPLACING ENTITY NAME>> (Displacing Agency) is proceeding with the project known as the <<PROJECT NAME>> **Project** ("Project"). To carry out this Project, it will be necessary for you to relocate from the property on which you conduct your business at <<ADDRESS>>.

**This is a notice of eligibility for relocation assistance.** The effective date of your eligibility is <<DATE>>. As an eligible occupant of the property, you are eligible for certain benefits in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), 49 CFR Part 24, California Government Code 7260 et seq., the California Code of Regulations Title 25, Division 1, Chapter 6, Subchapter 1, and the Displacing Agency's Relocation Assistance Program.

The Displacing Agency has retained the firm of **Overland, Pacific & Cutler, LLC, a GFT Company (OPC)**, to provide you with assistance in reestablishing your business. **You will not be required to move without at least 90 days advance written notice of the day by which you must vacate.** However, you may contact us at any time for assistance with your move and to receive the benefits for which you are eligible.

The relocation program includes advisory services as well as reimbursement for either actual moving and re-establishment expenses OR a fixed payment in lieu of a payment for actual moving and re-establishment expenses. These benefits are outlined below. It is important that you understand the conditions described below which must be met before any payments can be made.

## 1. RELOCATION ADVISORY ASSISTANCE:

We will assist you in your relocation by providing information regarding available replacement sites and typical real estate purchase or rental costs. We will personally meet with you to discuss your needs and preferences regarding the details of your move, explain your rights, and help you obtain the relocation payments for which you are eligible.

## 2. PAYMENT FOR MOVING AND RELATED EXPENSES:

A displaced business owner is eligible for a relocation payment to cover the reasonable cost of moving. Assuming you meet certain eligibility criteria, you may choose one of the following options:

**Option A:** A Payment for Actual Reasonable Moving and Related Expenses; or

**Option B:** A Fixed Payment In Lieu of Moving and Related Expenses These payments options are described below:

### **Option A - Payment for Actual Reasonable Moving and Related Expenses**

You are eligible for such actual moving expenses as the Displacing Agency determines to be reasonable and necessary, including expenses for:

- a. Transportation of personal property. Transportation costs for a distance beyond 50 miles are not eligible, unless the Displacing Agency determines that relocation beyond 50 miles is justified.
- b. Packing, crating, unpacking, and uncrating of the personal property.
- c. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and certain substitute personal property. This includes connection to utilities available within the building. It also includes modifications to the personal property, including those mandated by Federal, State or local law, code or ordinance, necessary to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property.
- d. Storage of personal property for a period generally not to exceed 12 months, as determined by the Displacing Agency to be necessary in connection with relocation.
- e. Insurance for the replacement value of the personal property in connection with the move and necessary storage.
- f. Any license, permit, fees or certification required of your business at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, or certification.
- g. The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of your own, your agent, or employee) where insurance covering such loss, theft, or damage is not reasonably available.
- h. Reasonable and preauthorized professional services as the Displacing Agency determine to be necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing the relocated personal property at the replacement location.
- i. Re-lettering signs and replacing stationery on hand at the time of displacement that is made obsolete as a result of the move.
- j. Actual direct loss of tangible personal property incurred as a result of moving or discontinuing your business. The payment will consist of the lesser of:
  - (i) The fair market value of the item, as is for continued use at the displacement site, less the proceeds from its sale. (To be eligible for payment, you must make a good faith effort to sell the personal property, unless the Displacing Agency determines that such effort is not necessary. When payment for property loss is claimed for goods held for sale, the fair market value will be based on the cost

- of the goods to the business, not the potential selling price.); **or**
        - (ii) The estimated cost of moving the item as is, but with no allowance for storage; or for reconnecting a piece of equipment if the equipment is in storage or not being used at the acquired site. (If you elect to discontinue your business, the estimated cost will be based on a moving distance of 50 miles.)
  - k. Purchase of substitute personal property. If an item of personal property which is used as part of your business is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, you will be entitled to payment for the lesser of:
    - (i) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; **or**
    - (ii) The estimated cost of moving and reinstalling the replaced item but with no allowance for storage. At the Displacing's Agency discretion, the estimated cost for a low cost or uncomplicated move may be based on a single bid or estimate.
  - l. The reasonable cost incurred in attempting to sell an item that is not to be relocated.
  - m. Searching for a replacement location. Your business is entitled to reimbursement for actual expenses, not to exceed \$5,000 (\$1,000 under State law), as the Displacing Agency determines to be reasonable, which are incurred in searching for a replacement location including:
    - (i) Transportation.
    - (ii) Meals and lodging away from home.
    - (iii) Time spent searching, based on reasonable salary or earnings.
    - (iv) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site.
    - (v) Time spent in obtaining permits and attending zoning hearings; and
    - (vi) Time spent negotiating the purchase of a replacement site based on a reasonable salary, or earnings.
- (The Displacing Agency may allow a one-time payment of \$1,000 for search expenses with minimal or no documentation as an alternative payment method).
- n. When the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the Displacing Agency, the allowable moving cost payment shall not exceed the lesser of: the amount which would be received if the property were sold at the site or the replacement cost of a comparable quantity delivered to the new business location.
  - o. Other related moving expenses as the Displacing Agency determines to be reasonable and necessary, including\*:
    - (i) Connection to available nearby utilities from the replacement site property line to the improvements at the replacement site;

- (ii) Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for your business operation, including but not limited to soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). At the Displacing Agency's discretion, a reasonable pre-approved hourly rate may be established;
- (iii) Impact fees or one-time assessments for anticipated heavy utility usage, as determined by the Displacing Agency.

\* Actual moving expenses if claimed under the Federal program, reestablishment expenses if claimed under the State program.

In addition to the payments described above, a business with 500 employees or less may be eligible to receive a payment, not to exceed \$33,200 (\$25,000 under State Law), for expenses actually incurred in relocating and reestablishing its operation at a replacement site.

Re-establishment expenses must be reasonable and necessary, as determined by the Displacing 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 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. Advertising of the replacement location.
- e. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting.
- f. Estimated increased costs of operation during the first two years at the replacement site, for such items as:
  - i. Lease or rental charges,
  - ii. Personal or real property taxes, (iii.) Insurance premiums,
  - iii. Utility charges, excluding impact fees.
- g. Other items that the Displacing Agency considers essential to the reestablishment of the business.

The following is a non-exclusive listing of reestablishment expenses **not** considered to be eligible for reimbursement:

- Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures.
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.
- Payment to a part-time business in the home which does not contribute materially to the household income.
- Interest on funds borrowed to accomplish the move.
- Constructing a new facility such as a new business building on a vacant

replacement property or substantially constructing, rehabilitating or reconstructing a building.

**CAUTION:** In order to qualify for reimbursement of the above-described expenses, you **MUST:**

1. Provide the Displacing Agency with a list or inventory of the items to be moved at least thirty (30) days in advance of the start of your move; and
2. Notify the Displacing Agency at least fifteen (15) days in advance of the date of the start of your move or disposition of your property; and
3. Permit the Displacing Agency to monitor the move; and
4. Permit the Displacing Agency to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

Failure to comply with any of the above four (4) requirements may result in you losing part or all of your benefits.

As a matter of information, you should also be aware that you are **not** entitled to payment under the Relocation Assistance Program for:

- Cost of moving any structure or other real property improvement in which you reserved ownership; or
- Interest on a loan to cover moving expenses; or
- Loss of goodwill; or
- Loss of profits; or
- Loss of trained employees; or
- Personal injury; or
- Costs for storage of personal property on real property owned or leased by the displaced person.

You may move either by commercial mover or take full responsibility for all or part of the move. If you elect a "self-move", the payment will be based on one or a combination of the following:

- The lower of two bids or estimates prepared by a commercial mover. The Displacing Agency may document/calculate and subtract an estimated amount of overhead and profit from the moving cost bids to establish an eligible payment. At the Displacing Agency's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate provided by a professional or developed by qualified Displacing Agency staff (for moves of \$5,000 or less and for personal property which does not require disconnect and reconnect and/or specialty moving services); **or**
- Supported by receipted bills for labor and equipment. Hourly rates cannot exceed the rates paid by a commercial mover to employees performing the same activity and equipment rental fees must be based on the actual rental cost of the equipment but not to exceed the cost paid by a commercial mover.

**- OR -**

### **Option B - A Fixed Payment In Lieu of Moving and Related Expenses**

If your business qualifies, you may choose a fixed payment **instead of** payment for actual moving and reestablishment expenses. You may elect to receive an amount equal to the average annual

net earnings of your business, but not less than \$1,000 nor more than \$53,200 (\$20,000 under State Law).

You may be eligible for this payment if the Displacing Agency determines that:

- a. The business owner owns or rents personal property which must be moved in connection with such move; and the business vacates or relocates from its displacement site.
- b. The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A business is assumed to meet this test unless the Displacing Agency determines that it will not suffer a substantial loss of its existing patronage- (Federal only).
- c. The displaced business is not part of a commercial enterprise having more than three other entities which are not being acquired by the Displacing Agency, and which are under the same ownership and engaged in the same or similar business activities.
- d. The business is not operated at a displacement dwelling or site solely for the purpose of renting such dwelling or site/space to others.
- e. The displaced business contributed materially to the income of the business owner during the two taxable years prior to displacement.

The average annual net earnings of your business will be based on one-half of its net earnings before Federal, State and local income taxes during the two taxable years immediately prior to the taxable year in which you move. You must provide the Displacing Agency with proof of net earnings through income tax returns, certified financial statements or other reasonable evidence, as the Displacing Agency determines is satisfactory.

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. If you are unable to file your claim within 18 months, the Displacing Agency may extend this period.

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. 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 within the United States. Owners of sole proprietorships or partnerships, who are not lawfully present in the United States, or who decline to provide this information, are not eligible for relocation assistance, unless such eligibility would result in exceptional hardship to a qualifying spouse, parent, or child. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the United States. However, there is no legal presence requirement to claim relocation assistance under the State program.

The Relocation Assistance Program is very complex. It is important that you carefully read and understand the matters explained in this notice and in the Informational Statement which was provided to you. Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

If at any time you have questions or need assistance, please contact your relocation agent:

**<<AGENT NAME>>  
<<TITLE>>  
<<PHONE NUMBER>>  
<<EMAIL>>**

Sincerely,

<<NAME>>  
<<TITLE>>  
<<CURRENT COMPANY NAME>>

## NOTICE OF ELIGIBILITY AND CONDITIONAL ENTITLEMENT

(90-Day Tenant-Occupant – Federal & CA State)

<<DATE>>

<<NAME>>

<<ADDRESS>>

<<ADDRESS>>

Dear <<NAME(S)>>:

<<DISPLACING ENTITY>> (called here "<<NAME>>") is proceeding with the project known as the <<**PROJECT NAME**>> **Project** located at <<**ADDRESS**>>.

You will not be required to move without at least 90 days advance written notice of the day by which you must vacate. However, you may contact us at any time for assistance with your move and to receive the benefits for which you are eligible.

**This is a notice of eligibility for relocation assistance.** You are eligible for relocation assistance and benefits under the <<AGENCY NAME>>'s Relocation Assistance Program.

When you do move, and depending on your eligibility for specific programs, you may choose assistance under **either** the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), **or** Section 104(d) of the Housing and Community Development Act of 1974, as amended (Section 104(d)), **or** the California Code of State Regulations Title 25, Division 1, Chapter 6 (Title 25).

Due to the federal funding of this project, under the URA, persons not lawfully present in the United States are not eligible for relocation payments or advisory assistance, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as a significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by <<AGENCY NAME>> to negatively affect the alien's spouse, parent or child. Under Title 25 or 104(d), this requirement does not apply.

Therefore, the entitlements stated below under the URA will reflect the number of legally present persons that have been identified in the Certification of Lawful Presence in the U.S. form provided by you, and/or persons for whom a hardship exemption has been approved. Under the URA, there are \_\_\_ household members out of the total of \_\_\_ who are entitled to assistance and benefits. These eligible household members are <<NAMES>>.

Additional information about your benefits was previously provided to you in the Informational Statement. You are eligible to receive the following benefits:

1. **RELOCATION ADVISORY ASSISTANCE** provided by Overland, Pacific & Cutler, LLC (OPC), a GFT Company, a professional firm hired by <<AGENCY NAME>> to provide relocation assistance to you, such as referrals to replacement housing and help with filing for benefits.
2. **MOVING EXPENSES:** You will receive a payment to assist in moving your personal property.

You may select one of the following payments:

### **Under the URA**

- A. A Fixed Moving Payment based on the number of rooms you occupy (from Informational Statement). Your pro-rated entitlement under this option for \_\_\_ rooms is \$\_\_\_\_\_ (x/x of \$\_\_\_\_\_ ) **or**
- B. A payment for your Actual Reasonable Moving and Related Expenses based on receipted bills for labor and equipment, wherein hourly rates for labor should not exceed the hourly rates of a professional mover; prorated to reflect the number of eligible household members (**X/X**); In this case, you take full responsibility for the move. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement, **or**
- C. You may elect to claim a self-move payment based on the <<AGENCY NAME>>-approved lowest, most reasonable moving bid by a professional mover (and based on at least two bids). In this case, you take full responsibility for the move. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement. The <<AGENCY NAME>> will deduct the fee portion of the moving bid that includes overhead and profit to the mover from your payment.
- D. A combination of both (in some cases).

### **Under Title 25**

- A. A Fixed Moving Payment based on the number of rooms you occupy (from Informational Statement). Your entitlement under this option for \_\_\_ rooms is \$\_\_\_\_\_ ; **or**
- B. A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills; **or**
- C. A combination of both (in some cases).

### **3. CREDIT CHECK AND APPLICATION FEES (URA Only)**

You may claim reimbursement of up to **\$1,000.00** for actual costs incurred for credit check fees and application fees related to securing rental replacement housing. The approved reimbursement amount will be based on the number of legal members in your household.

### **4. SECURITY DEPOSIT AND CREDIT CHECKS (104(d) Only)**

The Displacing Agency will pay the cost of any security deposit required to rent a replacement dwelling unit and for required credit checks related to a replacement unit.

5. **REPLACEMENT HOUSING ASSISTANCE:** You are eligible for a replacement housing payment to rent or purchase a replacement home. The payment will be based on several factors, including the cost of a "comparable replacement dwelling" and your average household income.

You are entitled to choose a replacement housing payment under the URA, 104 (d), or Title 25. These two options are explained below.

**A. Replacement Housing Assistance Under the URA**

If you choose assistance under the URA and rent replacement housing, you may file a claim for a **RENTAL ASSISTANCE** payment, equal to the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling (as determined by <<AGENCY NAME>>) and the base monthly rent, multiplied by 42 months (see table below).

A study was completed to determine the cost of a comparable replacement dwelling for eligible occupants most nearly representative of your current dwelling. The study indicated that the dwelling located at <<**ADDRESS**>> with a monthly rent and estimated utilities of \$\_\_\_\_\_ (rent of \$\_\_\_\_\_ and utilities of \$\_\_\_\_\_) was the most representative of your current dwelling.

Base monthly rent is defined as the lesser of:

- (1) \$\_\_\_\_\_, which represents the average monthly rent (\$\_\_\_\_\_) and average monthly utilities (\$\_\_\_\_\_) at your displacement dwelling (if you are paying little or no rent, the amount is based on the economic rental value of your dwelling); **or**
- (2) \$\_\_\_\_\_, which represents thirty (30) percent of your gross monthly household income if your household income is classified as "low income" by the U. S. Department of Housing and Urban Development's Annual Survey of Income Limits for the Public Housing and Section 8 Programs. (If "N/A", income was not used in the calculation because you have been determined to not be "low income" and/or are a dependent, or the income information provided was insufficient evidence of income.)

Based on the above, your base monthly rent amount is \$\_\_\_\_\_, and your maximum rental assistance payment is calculated as follows:

<b>Maximum URA Rental Assistance Payment Calculation</b>		
1	Comparable Dwelling Cost	\$
2	Base Monthly Rent	\$
3	Monthly Difference (Line 1 minus Line 2)	\$
4	<b>Maximum payment (difference times 42 months)</b>	<b>\$</b>

**Your actual payment depends on the cost of the replacement dwelling you decide to rent.** If you rent and occupy a replacement dwelling, that rents for **less** than the comparable dwelling, your rental assistance payment will be based on the actual cost of your replacement dwelling. If you rent and occupy a replacement dwelling, that rents for **more** than the comparable dwelling, your rental assistance payment will be limited by the cost of the comparable dwelling.

Please find attached listings of available comparable replacement dwellings that you may want to consider renting that reflect replacement housing needs under the URA. If you need any assistance or transportation to inspect these referrals, please contact the relocation agent identified below.

**B. Replacement Housing Assistance Under Section 104(d)**

If you choose assistance under the Section 104(d) and rent a comparable replacement dwelling, your entitlement for a **RENTAL ASSISTANCE** payment is equal to the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling, identified above, and your Total Tenant Payment, multiplied by 60 months. Households must be low-income to qualify for a payment under 104(d). Total Tenant Payment is the highest of:

- (1) 30% of monthly household adjusted income; **or**
- (2) 10% of monthly household gross income.

A study was completed to determine the cost of a comparable replacement dwelling most nearly representative of your current dwelling. The study indicated that the dwelling located at <<ADDRESS>> with a monthly rent and estimated utilities of \$<<#>> (rent of \$XX and utilities of \$XX.00) was the most representative of your current dwelling.

Based on the information you provided us about your income and the comparable replacement dwelling, your maximum replacement housing payment under Section 104(d) guidelines is calculated as follows:

<b>Maximum 104(d) Rental Assistance Payment Calculation</b>		
1	Comparable Dwelling Cost	
2	Total Tenant Payment	
3	Monthly Difference (Line 1 minus Line 2)	
4	<b>Maximum payment (difference times 60 months)</b>	

**C. Replacement Housing Assistance Under Title 25**

If you choose assistance under the State Regulations and rent replacement housing, you may file a claim for a **RENTAL ASSISTANCE** payment, equal to the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling (as determined by <<AGENCY NAME>>) and the base monthly rent, multiplied by 42 months.

A study was completed to determine the cost of a comparable replacement dwelling for eligible occupants most nearly representative of your current dwelling. The study indicated that the dwelling located at <<ADDRESS>> with a monthly rent and estimated utilities of \$\_\_\_\_\_ (rent of \$\_\_\_\_\_ and utilities of \$\_\_\_\_\_) was the most representative of your current dwelling.

Base monthly rent is defined as the lesser of:

- (1) \$\_\_\_\_\_, which represents the average monthly rent (\$\_\_\_\_\_) and average monthly utilities (\$\_\_\_\_) at your displacement dwelling (if you are paying little or no rent, the amount is based on the economic rental value of your dwelling); **or**
- (2) \$\_\_\_\_\_, which represents thirty (30) percent of your gross monthly adjusted household income (If "N/A", income was not used in the calculation because it has been determined the income information provided was insufficient evidence of income.)

Based on the above, your base monthly rent amount is \$\_\_\_\_\_ and your maximum rental assistance payment is calculated below:

<b>Maximum Title 25 Rental Assistance Payment Calculation</b>		
1	Comparable Dwelling Cost	\$
2	Base Monthly Rent	\$
3	Monthly Difference (Line 1 minus Line 2)	\$
4	<b>Maximum payment (difference times 42 months)</b>	<b>\$</b>

**Your actual payment depends on the cost of the replacement dwelling you decide to rent.** If you rent and occupy a replacement dwelling, that rents for **less** than the comparable dwelling, your rental assistance payment will be based on the actual cost of your replacement dwelling. If you rent and occupy a replacement dwelling, that rents for **more** than the comparable dwelling, your rental assistance payment will be limited by the cost of the comparable dwelling.

**If you BUY replacement housing (Downpayment Assistance)**

You may use the amount of your rental assistance payment under the URA or Title 25 for down payment assistance. Should you choose to buy (rather than rent) a decent, safe and sanitary replacement home under the URA, 104 (d), or Title 25, you may use the full amount of your rental assistance payment (\$\_\_\_\_\_ **URA**, \$\_\_\_\_\_ **(104(d))**, \$\_\_\_\_\_ **Title 25**), as calculated above for a down payment and incidental expenses (typically known as "closing costs") associated with the purchase of a replacement dwelling. Under the URA or Title 25, you are not limited in the type of home you choose.

If you have received any amount as rental supplements, then those amounts will be deducted from all eligible down payment calculations. Let us know if you would prefer to buy a replacement home, and we will help you find such housing.

To be eligible for a replacement housing payment described above, you must rent or purchase and occupy a decent, safe and sanitary replacement dwelling **within 12 months**, as well as file claims for replacement housing or moving payments **within 18 months** from the date you move from your displacement dwelling. **Failure to occupy the replacement dwelling or to submit claims within the above time limits could result in loss of moving and/or replacement housing benefits.**

You do not have to accept any dwelling referred to you by <<AGENCY NAME>>. You may choose your own replacement, but to qualify for relocation assistance payments it must first be inspected to assure that it meets the "decent, safe and sanitary" standards. For this reason, **DO NOT MOVE from your home and DO NOT CONTRACT to rent or purchase a replacement dwelling without first contacting your relocation agent.** The "decent, safe and sanitary" inspection is **not** a substitute for a professional housing inspection.

The Relocation Assistance Program is very complex. It is important that you carefully read and understand the matters explained in this notice and in the Informational Statement which was provided to you.

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the <<AGENCY NAME>>'s Relocation Assistance Program may have the appeal

application reviewed by <<AGENCY NAME>> in accordance with its appeals procedure. Complete details about appeal procedures are available upon request from your relocation agent.

If you have questions or need assistance at any time, please contact your relocation agent:

<<AGENT NAME>>  
5000 Airport Plaza Drive, Suite 250  
Long Beach, CA 90815  
(800) 400-7356

Sincerely,

**EXHIBIT E**

**VACATE NOTICE**

# 90-Day Notice to Vacate To Be Displaced

<<DATE>>

<<HEAD-OF-HOUSEHOLD>> and All Other  
Occupants  
<<MAILING ADDRESS>>  
<<CITY, STATE ZIP>>

Your Relocation Agent	
Name:	<<AGENT NAME>>
Phone:	<<OFFICE PHONE>>
Case ID:	<<CASE ID>>

Dear Occupants:

<<NAME>> (called here the "Displacing Agency") has acquired the property you currently occupy, located at <<ADDRESS>> (called here the "Premises"). The Displacing Agency has now determined that it will be necessary for you to vacate the Premises.

**Notice is hereby given that the Displacing Agency elects to terminate your tenancy beginning <<DATE>> and ending <<DATE>>, and you are hereby to quit and deliver up possession of the property you occupy on or before <<DATE>>. If you do not vacate the Premises by that date, the Displacing Agency will initiate legal proceedings to recover possession of the Premises, along with any rents and damages.**

During this period, the Relocation Agent will be available to provide assistance with referrals to replacement sites, coordination with movers and other vendors, the processing of relocation benefit claim forms, and other tasks to help facilitate your relocation. Please contact your relocation agent listed below if you have any questions regarding this notice or the relocation process. Upon vacating your unit, you are responsible for removing all of your personal property, delivering the Premises in satisfactory condition and turning in the keys to your relocation agent.

Sincerely,

<<AGENT NAME>>  
<<AGENT TITLE>>  
**Overland, Pacific & Cutler, LLC, a GFT Company**  
<<OFFICE ADDRESS>>  
Phone <<OFFICE PHONE>>

**EXHIBIT F**

**PUBLIC COMMENTS AND RESPONSES**