RESIDENTIAL

Washington State
Department of Transportation
Real Estate Services Office

August 2015

Residential Relocation Assistance Program

Americans with Disabilities Act (ADA) Information

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Title VI Statement to Public

It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinator at (360) 705-7082.

Contents

Introduction **1**

Relocation Advisory Services **2**

Residential Assistance 3
In Addition to Personal Contacts 4
Social Services Provided by Other Agencies 4
Lawfully Present in the United States 5
Not Lawfully Present in the United States 5

Moving Payments **6**

Commercial Move 7
Self Move Schedule Payment 7
Self Move Actual Cost 8
Fixed Moving Cost Schedule Payment 8
Storage Costs 9
Mobile Homes 9

Replacement Housing Payments **11**

A "Comparable Replacement" 11
Replacement Housing Payments 14

Housing of Last Resort **24**

Assistance 24
Relocation Payments Not Considered Income 25

Finally... ..... **26**

Right to Appeal a WSDOT Decision 26

WSDOT Real Estate Services Offices **27**

Washington State Department of Transportation Region Boundaries **28**

Introduction

The Relocation Assistance Program is designed to establish uniform procedures in relocation assistance that will assure legal entitlements and provide fair, equitable, and consistent treatment to persons displaced by projects administered by the Washington State Department of Transportation (WSDOT).

The program is administered in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA).

This booklet is designed to answer some of your questions about your relocation entitlements. Specific information about relocation assistance is contained in the law. While every effort has been made to assure the accuracy of this booklet, it does not have the force and effect of the law. Should any difference or error occur, the law will take precedence. The law is contained in Chapter 8.26 of the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) 468-100.

Your concerns are important to us. We will do everything we can to minimize any disruptions and other impacts of the project. Thank you for taking the time to read this booklet. We appreciate your understanding and cooperation.

The relocation assistance program is discussed in the following pages.

Relocation Advisory Services

If you are displaced by a public works program of the state, you will be offered relocation assistance services for the purpose of locating a suitable replacement property. It is our goal and desire to be of service to you, and assist in any reasonable way to help you successfully relocate.

Following is a summary of the relocation advisory assistance you will receive if you are displaced. The relocation specialist will personally interview you to:

- Determine any special needs and requirements.
- Explain relocation process, entitlements, and payments.
- Offer relocation advisory assistance.
- Offer transportation if necessary.
- Assure the availability of at least one comparable property in advance of displacement.
- Provide referral to comparable properties.
- Provide the amount of maximum replacement housing entitlement and the basis for the determination in writing 90 days or more before the required vacate date.
- Inspect replacement houses for decent, safe, and sanitary (DSS) acceptability.
- Supply information about other federal, state, and local programs offering assistance to displaced persons.
- Minimize hardship to persons in adjusting to relocation by providing reimbursement of counseling services and advice as to other sources of assistance that may be available.
- Advise obtaining a professional home inspection when purchasing a replacement dwelling.

Residential Assistance

A relocation specialist will contact you personally to explain relocation services available, the types of relocation payments, move options, and the eligibility requirements to receive relocation payments that apply to you. During the first interview, your housing needs and desires will be assessed as well as your need for assistance by completing an occupancy survey. You cannot be required to move unless at least one comparable dwelling is made available to you and you have been given a written assurance at least 90 days prior to the date by which you will be required to vacate the property. WSDOT will provide this assurance in the relocation letter entitled, "Notice of Relocation Eligibility, Entitlements, and 90-Day Assurance." If occupancy of the property beyond the date the state acquires possession is allowed, you will be required to sign a rental agreement and pay rent.

If you desire, the relocation specialist will give you current listings of other available replacement housing and provide transportation to look at housing.

The relocation 90-day assurance should not be confused with the required 20-day notice to terminate your lease which is administered by our Property Management Program.

In Addition to Personal Contacts

Relocation offices are open during convenient hours, including evening hours when necessary. The personnel employed in the relocation office will assist you. Offices have access to or can refer you to the appropriate person/agency for a variety of information concerning:

- Listings of Available Replacement Properties
- Local Housing Ordinances
- Building Codes
- Social Services
- Security Deposits
- Interest Rates and Terms
- VA and FHA Loan Requirements
- Real Property Taxes
- Consumer Education Literature on Housing

Social Services Provided by Other Agencies

Your relocation specialist can direct you to the services provided by other public and private agencies in your community. If you have special needs, the specialist will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you. You should talk to your relocation specialist about your desires for these kinds of services.

Lawfully Present in the United States

Federal law requires certification of residency status. You will be required to sign a form certifying you are lawfully present in the United States before the relocation process can begin.

Not Lawfully Present in the United States

Any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child as defined in **WAC 468-100-208.**

Moving Payments

As a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

Move options are based on one or a combination of the following:

- Commercial Move, up to a maximum of 50 miles
- Self Move
  - fixed residential move cost schedule
  - actual cost moved (based on documentation), up to a maximum of 50 miles

Please do not move before you have discussed your moving plans with your relocation specialist and have a signed "Moving Expense Agreement." You can jeopardize your right to receive relocation assistance entitlements unless you advise WSDOT in advance of moving.

You Can Choose Either or a Combination:

Commercial Move Includes:

- Packing and unpacking.
- Transportation, up to a maximum of 50 miles.
- Moving insurance.
- Other related costs.

Self Move Schedule Payment

Based on how many rooms are in the displaced dwelling and whether they are furnished or not.

or

Self Move Actual Cost

Supported by documentation, i.e., receipts, invoices, transportation expenses limited to a maximum of 50 miles.

Commercial Move

If you prefer to have your personal property moved by a professional mover, WSDOT will coordinate with a mover to pack, load, move, and unload your personal property. Once the move is complete WSDOT will make direct payment to the mover.

Reimbursement will be limited to a maximum of a 50-mile distance. Related expenses include:

- Disconnecting and reconnecting household appliances.
- Reconnect fees for utilities at the replacement site (i.e., phone, cable, power).
- Insurance while your property is in transit.

Self Move Schedule Payment

You may choose to be paid on the basis of a fixed moving cost schedule. The amount of the payment is determined by the schedule shown on the following page. If you choose this option, you will not be eligible for reimbursement of related expenses listed above. The moving cost schedule is designed to cover such expenses.

Self Move Actual Cost

An actual cost move is supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the cost paid by a commercial mover to their employees. Labor rates must be pre-approved by WSDOT. Equipment rental fees should be based on actual cost of renting the equipment but not to exceed the cost paid by a commercial mover.

Fixed Moving Cost Schedule Payment

You may elect to receive payment for moving costs based on the following schedule. The number of eligible rooms is determined by the relocation specialist. Typically, bathrooms are not included in the room count.

Fixed Moving Cost Schedule*

For relocating personal property located in a dwelling: Payment to move contents of a furnished dwelling is $300 plus $50 for each additional room.

Number of Eligible Rooms	Payment to Occupants Who Own Furnishings
1	$600
2	$800
3	$1,000
4	$1,200
5	$1,400
6	$1,600
7	$1,800
8	$2,000
Plus $200 for each additional room.	

**Includes $400 dislocation allowance for utility hookups and other miscellaneous moving expenses.*

Note: The figures on this page were updated June 2008.

Note: The expense and dislocation allowance to a person with minimal personal possessions occupying a dormitory style room shared by two or more unrelated persons is limited to $100.

Storage Costs

Temporary storage as determined necessary by the department and pre-approved for up to 12 months. Your request must be in writing.

Mobile Homes

Mobile homes, as defined in **WAC 468-100-002(17),** may be determined to be either real property or personal property during the appraisal process.

Owners and/or occupants of mobile homes that are displaced by a public project may be eligible for different types of relocation replacement housing payments depending on different situations in relation to ownership and occupancy. Ownership and occupancy requirements for receiving any replacement housing entitlement as a mobile home owner/tenant are the same as for a regular residential housing situation. The requirements for an owner/tenant occupant in a typical, constructed residential dwelling are applied to the occupant of a mobile home in all respects.

Mobile Home Considered Real Estate

The mobile home will be acquired through the acquisition process as real estate according to department procedures.

Mobile Home Considered Personal Property

The mobile home will not be purchased by the department. You will be eligible for the reasonable costs of moving the mobile home, including disassembling, moving, reassembling, anchoring the unit, and utility hook up charges.

All occupants of mobile homes being displaced are eligible for the costs to move their personal property located inside the mobile home and outside on the site of the mobile home using the move options described in the moving payments section of this booklet and for advisory services.

Please do not move before you have discussed your move plans with your relocation specialist and have signed a written Moving Expense Agreement with WSDOT.

Replacement Housing Payments

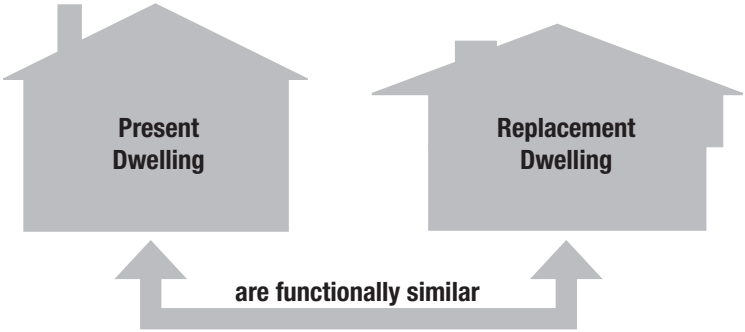
If you are a displaced person, you will be given a written notice of the maximum relocation payment that will apply to your situation. The notice will be provided at least 90 days before the date by which you may be required to move.

You cannot be required to move unless at least one "comparable replacement dwelling" is made available.

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms.

Comparable: Decent, Safe, and Sanitary

A "Comparable Replacement" means that your . . .



A comparable replacement dwelling must be "decent, safe, and sanitary," and should be functionally similar to your present dwelling. While not necessarily identical to your present dwelling, the replacement should have certain attributes.

- Similar number of rooms and living space.
- Located in an area not subject to adverse environmental conditions.
- Generally not located in an area less desirable than your present location with respect to public utilities and commercial and public facilities.
- Currently available to you.
- Land area that is typical in size for similar dwellings located in the same or similar neighborhood or rural area.
- Within the financial means of the displaced person.
- If you chose to purchase a replacement dwelling that is not similar to your displacement dwelling then the Replacement Housing Payment (RHP) will be adjusted accordingly. For example, a single family dwelling is not considered similar to a multifamily dwelling and therefore not reasonable to apply the full calculated RHP to the purchase of your replacement dwelling.

Decent, Safe, and Sanitary (DSS)

Replacement housing must be decent, safe, and sanitary . . . which means it meets all of the minimum requirements established by federal and state regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight, and in good repair.
- Contain a safe electrical wiring system adequate for lighting and other devices.
- Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees).

- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person(s). The number of persons occupying each habitable room used for sleeping purposes should not exceed that permitted by local housing codes.
- Contain a well-lighted and ventilated bathroom providing privacy to the user and containing a sink, bathtub or shower stall, and toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area, with a fully usable sink properly connected to potable hot and cold water and to a sewage drainage system; with adequate space and utility connections for stove and refrigerator.
- Contain unobstructed egress to safe open space at ground level.
- For displaced persons with a disability, be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling.

The DSS inspection should be completed by your relocation specialist prior to entering into a contractual agreement for your replacement dwelling.

The purpose of the DSS inspection on the replacement dwelling is to determine eligibility for replacement housing payments and is not intended to be, nor constitutes, warrants, or guarantees that the replacement dwelling is free from defects.

You are advised to obtain a professional home inspection on the replacement dwelling prior to making the purchase. The cost of the home inspection is reimbursable as an incidental purchase expense.

Replacement Housing Payments

Replacement housing payments are separated into three basic types:

- **Price Differential** for owner occupants of 90 days or more.
- **Rent Supplement** for owner occupants and tenants of 90 days or more.
- **Down Payment** Assistance for tenants of 90 days or more.

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

Replacement Housing Payments for Owner Occupants of 90 days or more

If you are an owner and have occupied your home continuously for 90+ days prior to the offer to purchase your property (90-day owner), you may be eligible to receive a price differential payment for the cost necessary to purchase a comparable replacement dwelling. WSDOT will compute the maximum payment you are eligible to receive based on the most comparable dwelling selected by the department.

Price Differential

The price differential payment is the amount by which the cost of a comparable replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

If you receive more than the appraised value for your dwelling in the form of an administrative settlement, your price differential will be reduced.

- **Mortgage Interest Differential Payment (MIDP)** – You may be reimbursed for increased mortgage interest costs if the interest rate on your new mortgage exceeds that of your present mortgage. Your displacement dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to the initiation of negotiations.
- **Incidental Purchase Expenses** – You may also be reimbursed for other expenses such as reasonable costs incurred for home inspection, title search, recording fees, and certain other closing costs normally paid by a purchaser, but not including prepaid expenses such as real estate taxes and property insurance. These expenses are found on the preliminary HUD provided by the title company. Some expenses reimbursed are based on the outstanding balance of your current mortgage at your displacement dwelling. Your relocation specialist can provide a list of those reimbursable items upon request. A professional home inspection is highly recommended for owner/occupant and tenant utilizing down payment assistance.

Rent Supplement

If you decide not to purchase a replacement dwelling and elect to rent instead, you may be eligible for a rent supplement payment. Your relocation specialist can discuss this with you if you are interested in this option.

In order to become eligible for a replacement housing payment, you must purchase and occupy a DSS replacement dwelling within one year and make your claim for your replacement housing payment within 18 months.

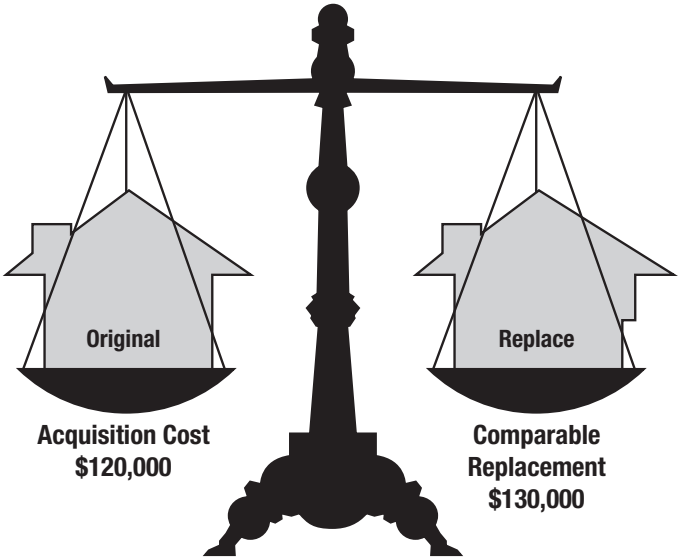
Note: *Your 18-month claim period starts after either the date you move from the acquired property or the date you receive final payment, whichever is later.*

Example

Maximum Price Differential Payment Computation

WSDOT computes the maximum payment based upon a DSS comparable replacement property selected by the department that is currently available for you to purchase. The computation is shown as follows:

Price of Comparable Home	$130,000
Acquisition Price of Your Property	-120,000
Maximum Price Differential	$ 10,000



In this example, Price Differential Payment may be any amount up to $10,000

Example

Actual Price Differential Payment Computation

How much of the price differential payment you receive depends on how much you actually spend to purchase a replacement home and the amount of the maximum price differential. Assuming the maximum payment is $10,000 (as shown in the example on page 15) your actual entitlement is computed as shown in these examples:

Example A

Purchase Price of Replacement Home	$130,000
Acquisition Price of Your Property	-120,000
Actual Price Differential Payment	$ 10,000

Example B

Purchase Price of Replacement Home	$133,500
Acquisition Price of Your Property	-120,000
Actual Price Differential Payment	$ 10,000
You Must Pay the Additional	$ 3,500

Example C

Purchase Price of Replacement Home	$127,000
Acquisition Price of Your Property	-120,000
Actual Price Differential Payment	$ 7,000

Replacement Housing Payments for 90-Day Tenant Occupants

Rent Supplement

If you are a displaced tenant occupant of 90 days or more, you may be eligible for a rent supplement. To be eligible for a rental assistance payment, tenants and owners must be in actual and lawful occupancy for at least 90 days prior to WSDOT's offer to purchase the property.

This payment was designed to enable you to rent a comparable decent, safe, and sanitary replacement dwelling for a three and one-half year period (42 months). If you choose to rent a replacement dwelling and the rental cost is higher than you have been paying, you may be eligible for rental assistance.

The amount of your total gross monthly income may also influence the amount of your rent supplement payment. Your relocation specialist will advise you further regarding this matter.

If you are paying little or no rent, your rent supplement payment will be calculated based on market rent.

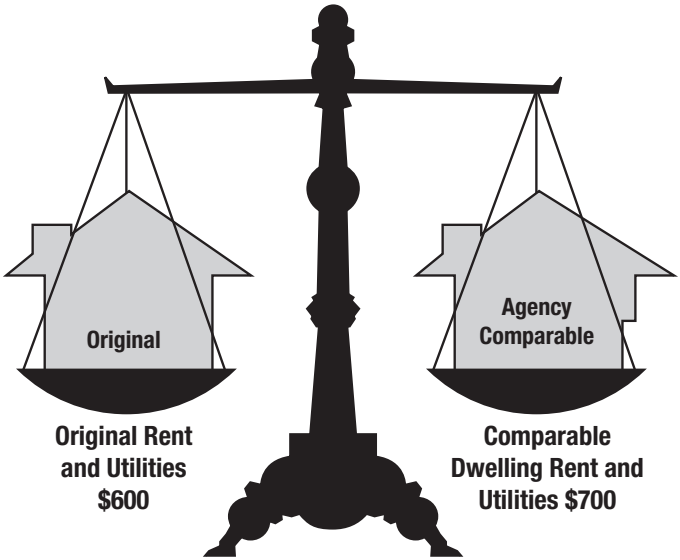
WSDOT will compute the maximum payment you are eligible to receive based on the most comparable dwelling selected by the department. The rental assistance payment will be paid in accordance with WSDOT policy.

In order to become eligible for a replacement housing payment, you must rent and occupy a DSS replacement dwelling within one year and you must also claim any payments within 18 months.

Note: *The term "utilities" means expenses for electricity, gas, other heating and cooking fuels, water, and sewage.*

Note: *Owner occupants are further limited to an amount not to exceed the price differential they would be entitled to if they were classified as owners 90 days or more.*

Example



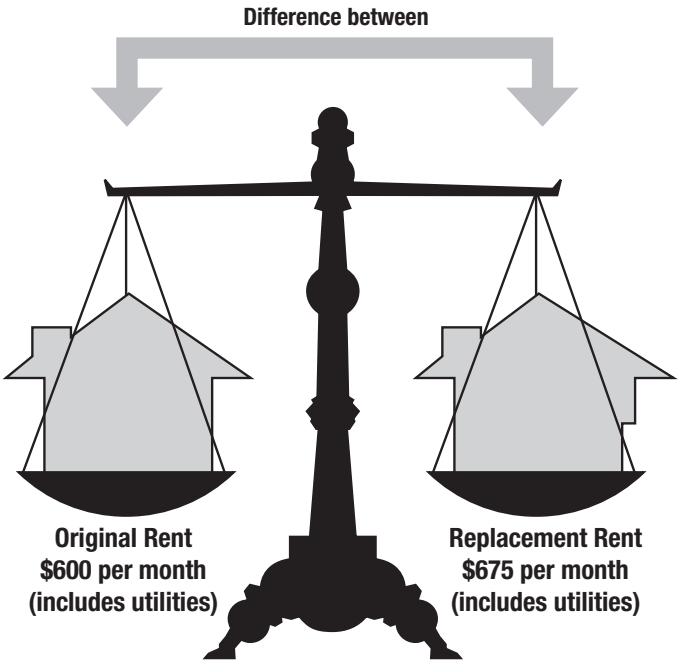
Maximum Rent Supplement Computation

Monthly rent difference is	$100
Maximum rent supplement equals 42 times monthly rent difference	$4,200

In this example, Rent Supplement Payment may be any amount up to $4,200

Example

Actual Rent Supplement Computation



In this example, the Actual Rental Assistance Payment over 3½ years is $3,150 ($75 difference times 42 months).

Down Payment Assistance

As a 90-day tenant occupant, you may use the full amount of your rent supplement or $7,200, whichever is greater, as a down payment allowance and to pay some incidental expenses to purchase a replacement dwelling.

Incidental expenses include the reasonable costs of housing inspection, a title search, recording fees, and certain other closing costs, but do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and they do not represent prepaid interest. The combined amount of the down payment and incidental expenses cannot exceed the amount of the computed rental assistance payment.

A professional home inspection of the replacement dwelling is strongly advised prior to the purchase.

Again, in order to become eligible for a replacement housing payment, you must purchase and occupy a DSS replacement dwelling within one year and make your claim for your replacement housing payment within 18 months.

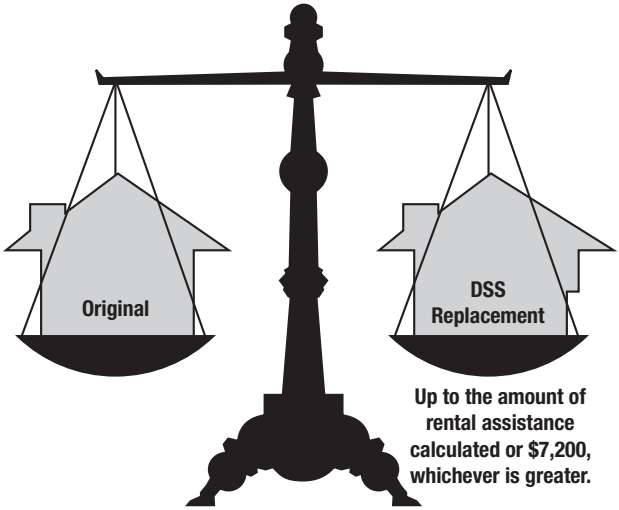
Note: Owner occupants are further limited to an amount not to exceed the price differential they would be entitled to if they were classified as owners 90 days or more.

Example

Down Payment Assistance

Will be paid on replacement...

purchase and occupied within one year.



Housing of Last Resort

Assistance

Normally, an adequate supply of housing will be available for sale and for rent and the entitlements provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide housing for those persons being displaced.

If comparable housing is not available, or the replacement housing payment exceeds the statutory maximum of $7,200 for a 90-day tenant occupant or the statutory maximum of $31,000 for a 90-day owner occupant, housing will be provided under an administrative process called Housing of Last Resort.

For those displaced persons who fail to meet the length of occupancy requirements, additional assistance will be available through Housing of Last Resort.

Necessary housing may be provided in a number of ways, such as:

- Purchasing an existing comparable residential property and renting it to a displaced tenant.
- Relocating and rehabilitating (if necessary) a displacement dwelling in order to make it available to a displaced owner.
- Purchasing, rehabilitating, and/or constructing additions to an existing dwelling to make it comparable to the displacement property.
- Purchasing land and constructing a new replacement dwelling comparable to the displacement property when comparables are not otherwise available.
- Purchasing an existing dwelling, removing barriers, and/or rehabilitating the structure to accommodate a displaced person when suitable comparable replacement dwellings are not available.
- Paying in excess of the statutory maximum $7,200 or $31,000 payment limits to persons to provide the necessary housing or financing.

There is broad flexibility in implementing the Housing of Last Resort program.

You have freedom of choice in the selection of replacement housing. WSDOT will not require any displaced person, without the person's written consent, to accept a replacement dwelling provided by WSDOT. If you decide not to accept the replacement housing offered by WSDOT, you may independently secure a replacement dwelling, providing it meets DSS housing standards. If you are eligible for replacement housing under the Housing of Last Resort program, you will be so informed by the relocation specialist who will explain the program.

Relocation Payments Not Considered Income

Relocation payments are not considered as income for the purpose of the Internal Revenue Code of 1986.

Finally...

If you disagree with a determination WSDOT makes as to your eligibility for or the amount of your relocation entitlement, you may seek an informal reconsideration of such determination by sending a letter explaining your grievance within 30 days after receipt of such determination to:

Washington State Department of Transportation
Relocation Assistance Program Manager
Real Estate Services
PO Box 47338
Olympia, WA 98504-7338

If you disagree with the reconsideration decision of the Relocation Assistance Program Manager, you may request an adjudicative hearing as outlined in the "Right to Appeal a WSDOT Decision" section below.

Right to Appeal a WSDOT Decision

You also have the right to appeal a WSDOT determination which includes a relocation specialist decision and the decision of the Relocation Assistance Program Manager, without seeking reconsideration by the RAPM by filing an application for an adjudicative hearing before an administrative law judge of the Office of Administrative Hearings. You may file an application for an adjudicative hearing by serving a request for an adjudicative hearing pursuant to **WAC 468-100-010** within 60 days of receipt of the WSDOT decision that you would like to appeal by certified mail, registered mail, or personal service addressed to:

Washington State Department of Transportation
Office of the Secretary
Transportation Building
310 Maple Park Drive
Olympia, WA 98504-7316

WSDOT Real Estate Services Offices

1. Northwest Region
(Seattle/Everett/Bellingham)
15700 Dayton Avenue N
PO Box 330310
Seattle, WA 98133-9710
206-440-4160

2. **North Central Region**
(Wenatchee/Moses Lake/Okanogan)
1551 N Wenatchee Avenue
Wenatchee, WA 98801-1156
509-667-2936

3. Olympic Region
(Tacoma/Olympia/Port Angeles/Aberdeen)
5720 Capitol Boulevard
PO Box 47440
Olympia, WA 98504-7440
360-357-2697

4. Southwest Region
(Vancouver/Raymond/Chehalis/Goldendale)
11018 NE 51st Circle
Vancouver, WA 98682-6686
360-905-2149

5. South Central Region
(Yakima/Ellensburg/Tri-Cities/Clarkston)
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1650

6. Eastern Region
(Spokane/Colville/Ritzville/Pullman/Republic)
2714 N Mayfair Street
Spokane, WA 99207-2090
509-324-6286

HQ. Headquarters and Mega Projects
7345 Linderson Way SW
Tumwater, WA 98501
360-705-7307

PO Box 47338
Olympia, WA 98504-7338

Washington State Department of Transportation Region Boundaries

The mission of the Washington State Department of Transportation is to keep people and business moving by operating and improving the state's transportation systems vital to our taxpayers and communities.