

NON-DISCRIMINATION POLICY

It is the State's policy that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under the transportation program. This is interpreted to include:

- 1) The manner in which relocation payments and assistance are given;
- 2) The manner in which real property is transferred or acquired and the leasing or use of that real property once it has been acquired.

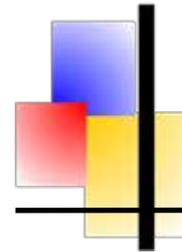
RIGHT OF APPEAL

Persons not satisfied with relocation payments or assistance offered by the Department may file an appeal. To appeal a determination, write a letter to the Region's Chief Right of Way Agent stating the determination you are appealing and the reasons for your appeal. The appeal must be received by the Region's Chief Right of Way Agent within 60 days of the date you received written notification of the determination. Upon your request, your Relocation Counselor will furnish you with a copy of the Department's relocation appeals process, as set forth in the Alaska Administrative Code (17 AAC 81.020).

IMPORTANT CONTACT INFORMATION

- AK DOT & PF **Central Region** ROW
PO Box 196900 Anchorage AK 99519-6900
Phone: (907) 269-0700 or 1-800-770-5263
Fax: (907) 269-0828 / TDD: (907) 269-0473
- AK DOT & PF **Northern Region** ROW MS 2553
2301 Peger Road, Fairbanks AK 99709-5316
Phone: (907) 451-5400 or 1-800-475-2464
Fax: (907) 451-5411 / TDD: (907) 451-2363
- AK DOT & PF **Southeast Region** ROW
6860 Glacier Hwy, Juneau AK 99801-7909
Phone: (907) 465-4540 or 1-800-575-4540
Fax: (907) 465-6216 / TDD: (907) 465-4410

Visit our web site: <http://www.dot.state.ak.us>



State of Alaska Department of Transportation and Public Facilities



Relocation Services for Residential Property

Revised August 2008



Photo by Paula Brault

Mt. McKinley from the Parks Hwy

The State of Alaska
Department of
Transportation and Public
Facilities pledges to provide
uniform and equitable
treatment to all displaced
persons.

IMPORTANT DEFINITIONS

The following terms are commonly used in relocation:

INITIATION OF NEGOTIATIONS

The date on which the first written offer of just compensation to purchase real property for a project is delivered to an owner.

NOTICE OF INTENT TO ACQUIRE

and/or Notice of Eligibility for Relocation Assistance A written notice furnished to a person to be displaced that establishes eligibility for relocation benefits before the initiation of negotiations.

DISPLACED PERSON

A person who must permanently move or must move personal property from real property as a direct result of a written Notice of Intent to Acquire or the Initiation of Negotiations for the acquisition of real property for a Federal or Federal-Aid program or project.

DECENT, SAFE & SANITARY DWELLING

A dwelling that meets all applicable housing and occupancy codes and the following minimum standards: structurally sound, weather tight and in good repair; containing adequate and safe electrical wiring, safe drinking water, plumbing, heating and sewage disposal systems - all in proper working order; adequate in size to accommodate the person and/or family with a functional kitchen area and a separate, fully equipped, ventilated bathroom.

COMPARABLE REPLACEMENT DWELLING

A dwelling that is decent, safe, sanitary and functionally equivalent to the existing dwelling. The dwelling must be adequate in size to accommodate the displaced person(s) and in a similar neighborhood. It must be available on the private market and within the financial means of the displaced person(s).

supplement payment if the rental rate of your replacement dwelling exceeds the fair market rental rate of the acquired dwelling. The amount of this payment is limited to \$22,500, the amount of the eligible Purchase Supplement as computed under (1) of this section, or the actual difference in base monthly rent due for the period of 42 months, whichever is less.

TENANTS/OTHER OCCUPANTS

Tenants and occupants who have occupied the dwelling to be acquired for at least 90 days and owners who have occupied the dwelling for between 90 and 180 days prior to the initiation of negotiations are eligible for the following payments:

1) Rent Supplement

If you elect to rent replacement housing, you may receive a payment of up to \$5,250. The payment is based on the difference, if any, between the rent paid at the acquired dwelling and the reasonable cost of renting a comparable replacement dwelling, or the actual replacement rent (for a period of 42 months), which ever is less. Before you move, our Relocation Counselor must determine the reasonable cost of renting a comparable dwelling and notify you of this amount.

2) Downpayment Supplement

If you elect to purchase replacement housing, you may receive a payment of up to \$5,250 or the amount computed under (1) above, whichever is less, towards the purchase of replacement housing. The total amount of the payment must be applied to the purchase and/or related incidental expenses of a decent, safe and sanitary replacement dwelling. Payment may be made to an escrow account prior to closure of the loan provided the loan agency agrees to return the payment should the sale not be consummated. An owner's payment is limited to the amount that the owner would be eligible to receive as a long term owner under the Purchase Supplement had the 180 day eligibility criterion been met. A long term owner is not eligible for the downpayment supplement.

Owners and tenants of mobile homes, with some limitations, qualify for the same basic entitlements as persons displaced from conventional dwellings

You must occupy a replacement dwelling within one year of vacating the acquired property to be eligible for any payment under this section. Before making a commitment to purchase or rent a dwelling, ask your Relocation Counselor to do a housing inspection to ensure the replacement dwelling is decent, safe and sanitary.

REPLACEMENT HOUSING PAYMENTS

Replacement Housing Payments are separated into three basic types: (1) Purchase Supplement, (2) Rent Supplement and (3) Downpayment Supplement.

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 the initiation of negotiations.

LONG TERM OWNERS

Owners who have occupied the residence to be acquired for at least 180 days before the initiation of negotiations are eligible for the following payments:

1) Purchase Supplement

If you elect to purchase replacement housing, you may receive a payment up to \$22,500 for all costs necessary to purchase a comparable replacement dwelling. The total amount of this payment must be applied towards the purchase of a decent, safe and sanitary replacement dwelling. The payment consists of three parts:

a. Price Differential Payment - This payment is for the difference, if any, between the acquisition price received for the acquired dwelling and the reasonable cost to purchase a comparable replacement, or the actual cost of the replacement dwelling, whichever is less. Before you move, your Relocation Counselor must determine the reasonable cost of purchasing a comparable dwelling and notify you of this amount.

b. Increased Mortgage Interest Costs - You may be reimbursed for increased mortgage interest costs if the interest rate on your new mortgage exceeds that of your present mortgage.

c. Incidental Expense Payment - This payment is to reimburse you for the necessary and reasonable costs actually incurred by you incident to the purchase of your replacement dwelling, and customarily paid by the buyer, including closing costs, fees for title search/insurance, fees (recording, lender, appraisal, loan origination, etc.), and other related costs, but not prepaid expenses for taxes or insurance.

2) Rent Supplement

If you elect to rent replacement housing, you may receive a rent

GENERAL RELOCATION SERVICES

All persons displaced from a dwelling are to be provided with necessary assistance in relocation. The following are some of the services and assurances to be provided by your Relocation Counselor.

1. A personal interview to determine a person or family's relocation needs and preferences and to explain relocation payments, eligibility requirements, and relocation procedures.
2. Direct assistance and referrals in locating a comparable, decent, safe and sanitary dwelling.
3. Information in writing regarding available comparable dwellings and a person's "specific" replacement payment entitlements before relocation occurs.
4. Supply information and advice concerning Federal and State housing programs, loan programs, financing programs, etc.
5. Provide inspection of replacement dwellings to ensure they are decent, safe and sanitary.
6. Provide assurance of a reasonable time to move. You will not be required to move until a comparable replacement dwelling has been made available, and without first being given a written, 90 day notice to move.
7. Take reasonable and appropriate steps to minimize any displacement hardships, including transportation services to replacement units, assistance in arranging the move and advice on obtaining replacement housing.
8. Ensure that the property you now occupy is free of any immediate life threatening conditions until the time you relocate.

RELOCATION PAYMENTS ARE NOT TAXABLE

Relocation payments are not subject to federal, state, or local income tax. The payments are also not to be considered as income or resources if a person receives public assistance. The payment may not be deducted from the amount of assistance received under any welfare law, except for federal law providing low income housing assistance.

MOVING COST REIMBURSEMENT

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. There is no limit to the distance you may move, but reimbursement of moving costs is usually limited to a move up to 50 miles from your exiting dwelling.

Displaced individuals and families may choose to be paid on the basis of: (1) actual, reasonable, and necessary moving costs and related expenses, or (2) according to a fixed moving cost schedule. However, to assure your eligibility for benefits and prompt payment of your moving expenses, be sure to contact your relocation counselor before you move.

OPTION 1: ACTUAL, REASONABLE, AND NECESSARY COSTS

If you choose this option, you will be reimbursed for actual, reasonable, and necessary expenses in moving your personal property. Actual expenses claimed must be supported by receipted bills.

Eligible Actual Moving Expenses:

- 1) Moving persons and personal property;
- 2) Packing, crating, unpacking, and uncrating personal property;
- 3) Disconnecting and reconnecting household appliances and utilities;
- 4) Storage of personal property, if necessary and pre-approved, generally not to exceed 12 months;
- 5) Insurance to cover loss or damage to personal property in transit or storage;
- 6) Replacement value of property lost, damaged or stolen through no personal fault where insurance was not available;
- 7) Other related moving costs that are considered by the Department to be reasonable and necessary.

Ineligible Moving and Related Expenses:

- 1) The cost of moving any structure or other real property in which the displaced person reserved ownership;
- 2) Interest on a loan to cover moving expenses;
- 3) Personal injury;
- 4) Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before the Department;
- 5) Expenses for searching for a replacement dwelling;
- 6) Costs for storage of personal property on real property already owned by the displaced person.

OPTION 2: FIXED MOVING COST SCHEDULE

If you choose this option, payment is based on the number of rooms of furniture in your dwelling, except that one or more additional rooms are to be added for property stored in a basement, attic, garage or outbuilding. A claim under the fixed schedule does not require proof of your actual moving costs. A payment under this option is a lump sum payment of **all eligible moving costs**.

Fixed Moving Cost Payment Schedule

No. of Rooms	Occupant Owns Furniture	Occupant Does Not Own Furniture
1	\$700	\$500
2	\$900	\$700
3	\$1,125	\$900
4	\$1,350	\$1,100
5	\$1,550	\$1,300
6	\$1,725	\$1,500
7	\$1,900	\$1,700
8	\$2,075	\$1,900
Each Additional Room	\$300	\$200

If you are paid for moving items under this option, you are not eligible for additional compensation for those same items under Option 1. Any person with minimal personal possessions or occupying a dormitory style room may receive up to a \$100 moving expense payment.

You must file your claim for payment/reimbursement no later than 18 months after the date of displacement from the property acquired. You may authorize us to pay a moving company directly.

FILING A RELOCATION CLAIM

You should file a relocation claim as soon as possible after the move and expenses have been incurred. Your Relocation Counselor will furnish you with claim forms for this purpose. You should receive payment within 30 days after your claim is approved.