

## Attachment 3

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# *Kents Court*

## RELOCATION PLAN

Prepared for:

County of Monterey  
Housing and Community Development  
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Salinas, CA 93901

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# INTRODUCTION

County of Monterey (County) has authorized the preparation of a Relocation Plan to be undertaken in connection with the proposed Kents Court Apartments Project (Project) located at 87 Railroad Avenue, Royal Oaks, CA 95076 (Project Site). The County plans to rehabilitate nineteen (19) units at the Project Site requiring the temporary displacement of 19 households for approximately three months.

Kents Court Apartments was built in 2005 and is improved with a total of 19 low-income units in 19 single-story buildings. There are seven two-bedroom units and 12 three-bedroom units, one of which is for onsite management. Currently, there are no vacant units and management maintains a waiting list.

All 19 of the occupied units will be renovated. Renovations will include new cabinetry and flooring throughout the units. There will be no loss of units during Project renovations and the bedroom counts will remain the same. The renovated units will be restricted to tenants with incomes at or below 80% of area median income (AMI). Project unit rents will not be increased by more than five percent. No households will be permanently displaced as a result of the Project. Any existing households that exceed 80% of AMI will be grandfathered in.

The Project Site was evacuated due to emergency conditions impacting the health and safety of residents at the Property in March 2023. Households have been temporarily relocated with friends and family, in hotels, or in other housing arrangements as a result of the evacuation. The emergency remediation at the site is expected to be completed in mid-May 2023. The County will then immediately commence work on the planned rehabilitation starting in mid-May. The County met with households on April 11, 2023, to discuss the rehab and planned relocation. Households elected to remain out of their units in temporary housing until Project completion in August 2023.

The County proposes to utilize 100% accumulated tenant rent payments held by the County's Redevelopment Housing Set-Aside successor to fund the Project.

Overland, Pacific & Cutler, a division of TranSystems, Inc. (OPC), an experienced relocation consulting firm, has been selected to prepare a Relocation Plan (Plan). In compliance with statutory requirements, this Plan has been prepared to evaluate the present circumstances of affected tenants, address the temporary housing requirements of residents, and describe the temporary relocation plan.

While the funding sources being utilized do not trigger any local, state or federal relocation requirements, the County has requested that this Plan conform to the requirements of the California Relocation Assistance Law, Government Code Section 7260, et seq. (Law) and 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).

The County's planned rehabilitation and scope of work will require all Project tenants to remain relocated off-site during the renovation of their units. The needs and characteristics of the impacted residents and the County's program to provide assistance to each affected person are subjects of this Plan.

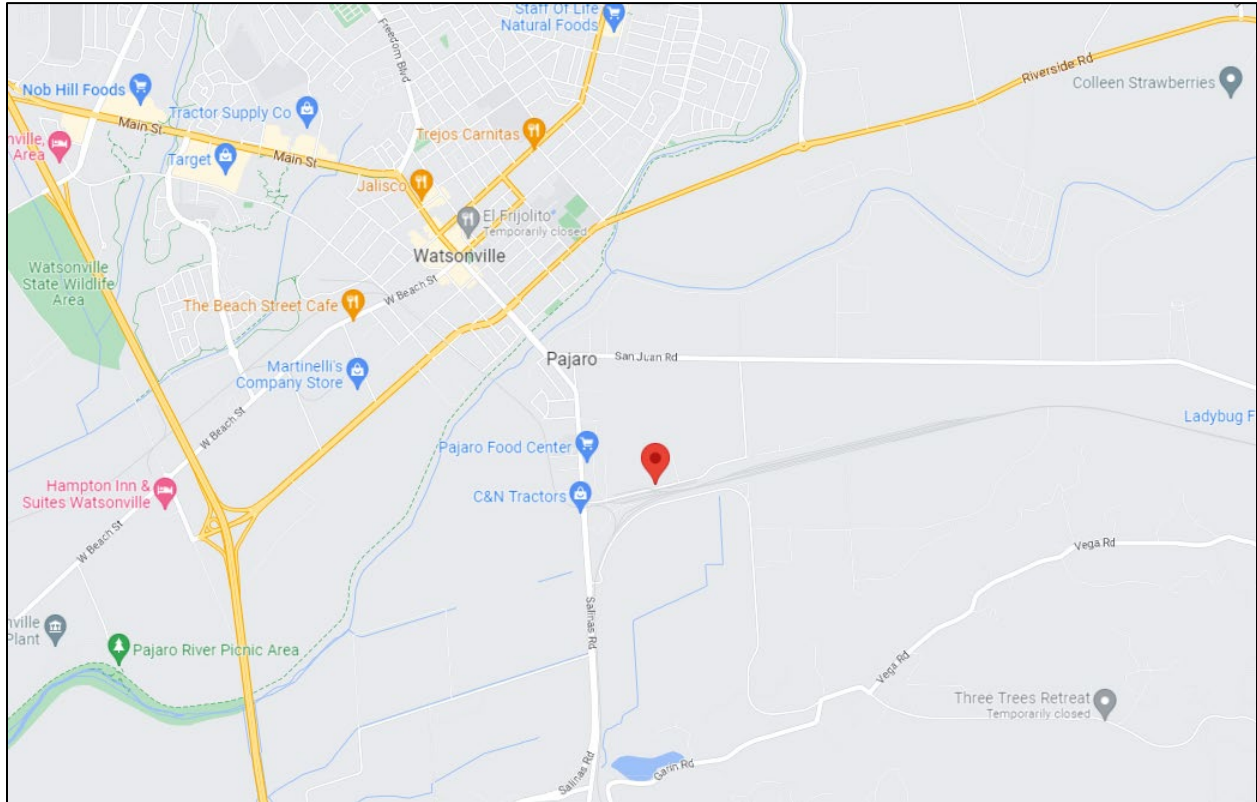
This Plan is organized in five sections:

1. Project description (**SECTION I**);
2. Assessment of the relocation needs of persons subject to temporary displacement (**SECTION II**);
3. Assessment of available, comparable temporary housing units within the County of Monterey and in proximity to the Project site (**SECTION III**);
4. Description of the County's relocation program (**SECTION IV**);
5. Description of the County's outreach efforts, Project timeline and budget (**SECTION V**).

# I. PROJECT DESCRIPTION

## A. REGIONAL LOCATION

The Project Site is located in in Royal Oaks, an unincorporated community within Monterey County. The Project Site is accessible from Railroad Avenue. Surrounding communities include Pajaro, Watsonville, and Las Lomas (*Figure 1: Regional Project Location*).



**Figure 1: Regional Project Location**

## B. PROJECT SITE LOCATION AND DESCRIPTION

The Kents Court Apartments are located at 87 Railroad Ave, Royal Oaks, CA 95076 and the Site is situated on six parcels totaling 1.12-acres. The Site is improved with 19 single-story manufactured homes for rent with seven two-bedroom and 12 three-bedroom units (*Figure 2: Project Site Location*). The Project site is generally bordered by Railroad Avenue to the South, Marinovich Avenue to the West, and Waters Lane to the East.

The Project Site is surrounded by a mix of multifamily residential uses as well as commercial, industrial, and agricultural uses. Surrounding sites include a grocery store and a shipping yard. The Site is located 1.5 miles from a bus stop served by Monterey-Salinas Transit District routes 28 and 29.

As of the date of this Plan, all 19 units are to be rehabilitated at the Project Site and are occupied by resident households.



*Figure 2: Project Site Location*





*Figure 3: Kents Court Apartments*

## **II. ASSESSMENT OF RELOCATION NEEDS**

### **A. SURVEY METHOD**

To obtain information necessary for the preparation of this Plan, data on the occupied households were provided to OPC by the County in April 2023. Individual interviews will be conducted in May 2023, and this information will be subsequently updated. Any specific needs or required accommodations for the tenants' relocations will be ascertained during the tenant interviews.

### **B. TENANT DATA**

#### **1. Current Occupants**

As of the date of this Plan, there are 19 units to be rehabbed for the Project, all of which are currently occupied. One of the 19 units is occupied by property management. The tenant-occupied units consist of households of one to ten people, for a total of 83 occupants. There are 25 children included within the 83-occupant total. The tenants occupy two- and three-bedroom units, and there is one manager's unit.

#### **2. Income**

Information regarding gross household incomes was provided by the County. Using the income standards for the County of Monterey (**Exhibit A**), adjusted for family size as published by the United States Department of Housing and Urban Development (HUD), there is one extremely low-income household (under 30% AMI), four very low-income households (30% - 50% AMI), eight low-income households (50% - 80% AMI), three moderate income households (80% - 120% AMI) and two households who exceed 120% of AMI . There will be no permanent displacements as a result of the Project. Any households exceeding 80% of AMI will be grandfathered in.

#### **3. Language**

Specific language needs are unknown at this time. However, all verbal communication and required written notices will be provided in the language understood by the members of the household or an interpreter will be provided, if necessary. At this time, it is anticipated that the primary languages will be English and Spanish. It is also anticipated that there may be some indigenous languages spoken by households at the Site.

#### **4. Senior/Handicapped Households**

The number of senior and disabled households is unknown at this time. Appropriate steps will be taken to accommodate mobility challenges and to provide suitable temporary housing on a first floor or with access to an elevator and an accessible unit where necessary. In addition, senior and disabled tenants will receive extra assistance with packing, unpacking, and transportation to move them to and from the temporary accommodations.

#### **5. Temporary Housing Needs**

The Project Site was evacuated due to emergency conditions in March 2023. Households are currently staying with friends and family, in hotels, or in other housing arrangements. As part of

the temporary relocation program, households will be transferred from their current temporary housing arrangements to new temporary housing units for the duration of the Project, which is expected to be completed in August 2023.

Due to the rural location of the Site, there is limited proximity to hotels/motels for temporary housing. Additionally, the County Office of Emergency is currently leasing all local hotels to accommodate households affected by flooding. As a result of the impacted housing availability, Project household will need to be relocated beyond a 10-mile radius. Currently, there is hotel availability in Marina, CA, approximately 15 miles from the site. There are currently no hotels with kitchenettes, therefore per diem stipends will be provided to households placed in hotels for the time they are displaced. An additional transportation stipend will be provided to accommodate the distance from the current Site.

### **III. RELOCATION RESOURCES**

#### **A. TEMPORARY HOUSING AVAILABILITY**

The County's planned rehabilitation and scope of work for the unit upgrades will require 19 households to temporarily relocate in a single phase into off-site temporary hotels for approximately four months. Residents will be provided with temporary accommodations in as close a proximity to the Project site as possible.

Available hotel rooms were located at Best Western, located at 3290 Dunes Dr, Marina, CA 93933, approximately 14 miles from the Project Site, and Country Inn and Suites, located at 3280 Dunes Dr. Marina, CA 93933, approximately 16 miles from the Project Site. Best Western offers one- and two-bed rooms for \$90 per night plus taxes. Country Inn and Suites offers one and two-bedroom suites for \$90 per night plus taxes. Both hotels have ADA units on-site and provide a hot breakfast.

A search of the market located a sufficient number of hotels to satisfy the demand for the Project. There are currently no hotels with kitchenettes available within a reasonable radius of the Site, therefore per diem stipends will be provided to households for the time they are displaced. According to the U.S General Service Administration, per diem rates for meals and incidentals for the area total \$57 per person (excluding breakfast). Additionally, a transportation stipend will be provided to households to compensate for being relocated a farther distance from the Site.

Because the Project Site is located in a rural area, the temporary housing resources identified are located in areas that have greater access to employment sources, medical and recreational facilities, parks, community centers, shopping, transportation, and schools, however, they are not likely to be the current locations and services that are currently being utilized by the households. A transportation stipend will be provided to households to compensate for the increased distance between the temporary housing sites and the Project Site. Where possible, selection of temporary housing sites will take into account tenants' access needs to employment and other services to minimize the impact of the increased distance to these services on the households.

The County will pay the full housing cost of the off-site temporary housing. After rehabilitation has been completed, tenants will move back to their original unit or a comparable Project unit at the Site. The County does not plan to permanently displace any of the households at this time. Should the County consider voluntary permanent displacements in the future, this plan will be updated accordingly.

As an alternative to temporarily staying in a nearby hotel/motel, the County will offer each of the households who must temporarily vacate their units a stipend if they choose to stay with friends or family for the time they are required to be out of their units.

All temporary housing accommodations will be inspected to assure it is decent, safe and sanitary, meets the needs of the residents regarding mobility challenges, and is locationally similar to the area surrounding the Project site. If residents receive services or are normally transported to off-site facilities during the days of renovations, arrangements will be made to continue the services and/or transportation of the resident, as needed.

## IV. THE RELOCATION PROGRAM

The County's Relocation Program is designed to minimize hardship, be responsive to unique Project circumstances, emphasize maintaining personal contact with all affected individuals and 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 County will conform with the standards and provisions of California Relocation Assistance Law, Government Code Section 7260, et seq. (Law) and 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).

OPC will administer the Relocation Program. Experienced County staff will monitor the performance of County's agent and be responsible to approve or disapprove any recommendations concerning eligibility and benefit determinations and interpretations of County's policy.

OPC will be available to assist any relocated person with questions about the relocation process, relocation counseling and/or assistance in relocating. The OPC office address and contact information is below:

**Contact Name:** Maggie Harry

**Contact Number:** 916-600-1114

**Email:** [mHarry@opcservices.com](mailto:mHarry@opcservices.com)

**Address:** 1101 Marina Village Parkway, Suite 201, Alameda, CA 94501

**Hours of Operation:** Monday – Friday, 8:00am to 5:00pm

A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to the households being temporarily displaced. Close personal contact will be maintained with the households. The relocation program consists of two principal constituents: advisory assistance and financial assistance (Relocation Benefits).

### A. ADVISORY ASSISTANCE

Advisory assistance services are intended to:

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

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

1. Distribute appropriate written information concerning the County'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 temporary displacees with comparable temporary housing options within a reasonable time prior to displacement.
5. Provide or arrange for transportation of the tenants to the temporary housing (if needed);
6. Inspect temporary housing to assure it meets decent, safe and sanitary standards as described in the Guidelines and per local code requirements;
7. Assist eligible occupants in the preparation, and submission, of relocation assistance claims;
8. Provide additional reasonable services necessary to successfully temporarily relocate occupants;
9. Make benefit determinations and payments in accordance with applicable law and the County's adopted relocation guidelines;
10. Assure that no occupant is required to move without a minimum of 30 days written notice to vacate unless the household voluntarily elects to relocate with less than 30-days notice;
11. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the County's decisions with respect to relocation assistance; and
13. 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.

## **B. RELOCATION BENEFITS**

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all households to be temporarily displaced. During a personal interview and follow-up visits, each household will be counseled as to available options and the consequences of any choice with respect to financial assistance. Temporary housing and professional moving and storage services will be provided to all households at no cost to them.

Any reasonable and necessary out-of-pocket costs associated with the temporary moves will be paid by the County, including, but not limited to, all temporary housing and moving costs, pet boarding, storage, and transportation.

The County will provide moving/packing services for all residents to get their unit prepared for construction activities. Unit preparations may include removing/packing all personal property from kitchen, cabinets, bathroom, and moving furniture away from walls to allow painting, etc. Unit preparations will not include removing/packing any personal property outside the Unit.

Any additional relocation benefits will be provided in accordance with the provisions of the State guidelines and County 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 County's normal administrative procedures.

### **C. PROGRAM ASSURANCES AND STANDARDS**

Adequate funds are available to temporarily relocate the impacted households. 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. GENERAL INFORMATION REGARDING THE PAYMENT OF RELOCATION BENEFITS**

Claims and supporting documentation for relocation benefits for tenants must be filed with the County no later than 18 months after the date of displacement.

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. County staff will review all necessary documentation related to a claim before reaching a determination as to which expenses are eligible for compensation;
3. Required claim forms will be prepared by the County's agent and presented to the claimant for review. Signed claims and supporting documentation will be returned to relocation staff and submitted to the County;
4. The County will review and approve claims for payment, or request additional information;
5. The County will issue benefit checks to claimants in the most secure, expeditious manner possible;
6. Receipts of payment and all claim material will be maintained in the relocation case file.

## **E. 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 County or OPC. Tenants are responsible for consulting with their own tax advisors concerning the tax consequences of relocation payments.

## **F. GRIEVANCE PROCEDURES**

The County's Relocation Appeals process will be consistent with the Provisions of Article 5 of the State relocation guidelines (Appendix A) and 6150-6176. The right to appeal shall be described in all relocation explanatory material distributed to the tenants.

As required under the State relocation guidelines, the tenants will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, payment amounts, and the failure to provide comparable replacement housing referrals or the County's property management practices.

Requests for administrative review and informal hearings will be directed to the County's Project Manager. All requests for review will receive written responses from the County 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.

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. LAST RESORT HOUSING**

At this time, there will be no permanent displacements, therefore there will be no need for housing of last resort. Comparable temporary accommodations are available for all the impacted households. Should permanent displacements be considered, this plan will be updated accordingly.



## **V. ADMINISTRATIVE PROVISIONS**

### **A. NOTICES**

Each notice, which the County is required to provide to a Project occupant, 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 three principal type notices:

- 1) Informational Statement
- 2) Notice to Temporarily Vacate
- 3) General Information Notice

The Informational Statement is intended to provide potential temporary displacees with a general written description of the County's relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights (**Exhibit B**). The Informational Statement is issued as early as is feasible to the impacted residents in the initial stages of a Project.

Residents being required to temporarily relocate typically must be provided at least 30 days advance written notice of the earliest date by which the temporary move will be necessary (**Exhibit C**). A subsequent 7 Day Notice to Temporarily Vacate will state a specific date by which the occupants are required to move and will provide the address of a comparable available temporary unit for the household to consider. Due to the emergency situation at the Project Site, households have already vacated. The Notice to Vacate will be served retroactively, and households may relocate from their current location into replacement temporary housing sooner than 30 days from receipt of the Notice to Vacate if they desire, as soon as replacement temporary housing is available.

The General Information Notice (GIN) is intended to provide potential relocatees with a general written description of the relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights (**Exhibit D**). Because this is an emergency project, a "retroactive" GIN may be issued as soon as possible if desired by the County, although it is not regulatory requirement for this Project.

### **B. PRIVACY OF RECORDS**

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

## **C. EVICTION POLICY**

1. 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.
2. 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 County'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 temporary 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 County.

## **D. CITIZEN PARTICIPATION**

The County held a group meeting with residents on April 11, 2023, to give residents information on the construction process, temporary relocation plan and timeline. As the process for considering the Project moves forward, the County will observe the following protocol:

1. Provide affected tenants with full and timely access to documents relevant to the relocation program (all residents to be temporarily displaced will receive an Informational Statement);
2. Encourage meaningful participation in monitoring the relocation assistance program; and;
3. Provide technical assistance necessary to interpret elements of the relocation program and other pertinent materials.

## **E. PROJECTED DATE OF DISPLACEMENT**

Construction is slated to begin in **May 2023** with completion estimated in three months. The County anticipates that a date specific Notice to Temporarily Vacate will be issued no earlier than **April 2023**.

## **F. ESTIMATED RELOCATION COSTS**

The total budget estimate for temporary relocation-related expenditures for this Project, including a 10% contingency, is **\$1,019,000.00**.

The estimated relocation budget does not include any payments related to rehabilitation or project consulting fees.

If the Project is implemented, and circumstances arise that should change either the number of residential occupants, or the nature of their activity, the County will authorize any additional funds that may need to be appropriated. The County pledges to appropriate, on a timely basis, the funds necessary to ensure the successful completion of the Project.

# EXHIBIT A

## HUD INCOME LIMITS – MONTEREY COUNTY

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

Area Median - \$90,100

| Persons/Household | 1      | 2      | 3      | 4      | 5      | 6       | 7       | 8       |
|-------------------|--------|--------|--------|--------|--------|---------|---------|---------|
| Very Low          | 39,800 | 45,500 | 51,200 | 56,850 | 61,400 | 65,950  | 70,500  | 75,050  |
| Extremely Low     | 23,900 | 27,300 | 30,700 | 34,100 | 36,850 | 39,600  | 42,300  | 46,630  |
| Low               | 63,700 | 72,800 | 81,900 | 91,000 | 98,300 | 105,600 | 112,850 | 120,150 |

Figures are per the Department of Housing and Urban Development (California), **updated in April 2022.**

**EXHIBIT B**

**INFORMATIONAL STATEMENT**

**Temporary Relocation Assistance  
Informational Statement  
for Families and Individuals**

County:  
**County of Monterey**

Project Name:  
**Kents Court Apartments**

County's Relocation Specialist  
**Overland, Pacific & Cutler, LLC**  
**(800) 400-7356**

Informational Statement Content:

1. General Information
2. Assistance In Locating A Temporary Dwelling
3. Moving Benefits
4. Temporary Housing Payment
5. Qualification For And Filing Of Relocation Claims
6. Evictions
7. Appeal Procedures – Grievance
8. Tax Status of Relocation Benefits
9. Non-Discrimination and Fair Housing
10. Additional Information And Assistance Available

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

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

# **Informational Statement for Families and Individuals**

## **1. GENERAL INFORMATION**

The dwelling in which you now live is in a project area to be improved by, or financed through, the County using local funds. If and when the project proceeds, and it is necessary for you to temporarily 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 temporarily move, but you will receive no less than 30 days' written notice to temporarily vacate.

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 state 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 County's relocation specialist will provide relocation assistance to you. They are available to explain the program and benefits. Their address and telephone number are listed on the cover.

**PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING.** 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 County's relocation assistance program.

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

The County, through its representatives, will assist you in locating a comparable temporary dwelling by providing referrals to appropriate and available temporary housing units. The relocation specialist will assist you with securing the temporary unit and help coordinate your temporary move.

When a suitable temporary dwelling unit has been found, your relocation specialist 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.

No resident will be required to temporarily vacate without a reasonable offer of a decent, safe, and sanitary temporary unit.

## **3. MOVING BENEFITS**

If you must move as a result of temporary displacement by the County, your personal property will be packed, moved and stored by a licensed commercial mover and the County will pay the bill.

## **4. TEMPORARY HOUSING PAYMENT**

The County will pay for all temporary housing costs, or you may elect to receive a stipend to assist with the cost of your temporary stay with family and friends.

## **5. QUALIFICATION FOR, AND FILING OF, RELOCATION CLAIMS**

Payments associated with temporary relocation will be based on actual, reasonable, and necessary costs confirmed via written documentation of same. All claims for relocation benefits must be filed with the County and they will review and process the reimbursement once the rehabilitation is completed at the project.

## **6. EVICTIONS**

Any person, who occupies the Project site and is not in unlawful occupancy, is presumed to be entitled to relocation benefits. Except for the causes of eviction set forth below, no person lawfully occupying the Project site will be required to move temporarily without having been provided with at least 30 days written notice from the County. Eviction will be undertaken only in the event of one or more of the following reasons:

- Failure to pay rent; except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services;
- Performance of dangerous illegal act in the unit;
- Material breach of the rental agreement and failure to correct breach within the legally prescribed notice period;
- Maintenance of a nuisance and failure to abate within a reasonable time following notice;
- Refusal to accept one of a reasonable number of offers of temporary dwellings; or
- The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of the public entity.

## **7. APPEAL PROCEDURES - GRIEVANCE**

The County' Relocation Appeals process will be consistent with the Provisions of Article 5 of the State relocation guidelines (Appendix A) and 6150-6176. The right to appeal shall be described in all relocation explanatory material distributed to displacees.

As required under the State relocation guidelines, displacees will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, payment amounts, and the failure to provide comparable replacement housing referrals or the County' property management practices

All requests for review will receive written responses from the County 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.

More detail concerning the appeals process will be provided upon request.

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

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also 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. No federal dollars are anticipated for this project. Therefore, federal regulations may not apply and the IRS may consider relocation



payments as income. 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)*

## **9. 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 County'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. The County's representative will assist with the referral of complaints to the appropriate Federal, State, or local fair housing enforcement County.

## **10. 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 temporarily relocating. 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 specialist. Contact information is provided on the cover page of this document.

## **EXHIBIT C**

### **NOTICE TO TEMPORARILY VACATE**

## NOTICE TO TEMPORARILY VACATE

<<DATE>>

<<HEAD OF HOUSEHOLD NAME>> and all other occupants  
<<ADDRESS>>

### **Re: Notice to Temporarily Vacate**

Dear <<NAME>>:

As you know, Monterey County (the "County") will be renovating the unit you currently occupy at <<ADDRESS>> (Project Site). In order for the renovations to be completed, it will be necessary for you to remain temporarily offsite.

It has been determined by the County that it is necessary for you to relocate to new temporary housing on <<DATE>>. We have identified a temporary unit for you to occupy. It is located at the <<NAME/ADDRESS>>. The County will pay for the cost of the temporary accommodations during your temporary stay.

Relocation staff will be contacting you shortly to coordinate and explain the details of your move and the benefits for which you may be eligible. You will receive moving assistance and advisory services, which will be explained to you when you meet with them.

In order not to delay the rehabilitation process, it is very important that we work together to help you move, because you must move out of your current unit on <<DATE>>.

You will be provided written notice when the renovations have been completed in your unit and it is ready for re-occupancy. If you have any questions regarding this or any other relocation issues, please contact your relocation agent, <<NAME>> at <<NUMBER>>.

Sincerely,

<<NAME>>  
<<TITLE>>  
<<ORG>>

## **EXHIBIT D**

### **GENERAL INFORMATION NOTICE**



# GIN/Notice of Non-Displacement

Residential Tenant (CA State)

<<DATE>>

<<HEAD-OF-HOUSEHOLD>> and All Other Occupants

<<MAILING ADDRESS>>

<<CITY, STATE ZIP>>

## Your OPC Relocation Agent

Name: <<NAME>>

Phone: <<NUMBER>>

Dear Occupants:

The **County of Monterey** (called here the "County") is notifying you of proposed plans to rehabilitate the property you currently occupy at <<ADDRESS>> for the <<PROJECT NAME>> (Project).

As we are now close to our construction start date, we want to give you advanced notice of our intention to carry out the work to your building. You will receive a 30-day notice with your anticipated move date. The County has retained the professional firm of **OPC** to assist in the relocation process.

### **This is a notice of non-displacement.**

**You will not be required to move permanently as result of the rehabilitation.**

You will be required to remain offsite temporarily so that the rehabilitation can be completed. If you must transfer to different temporary housing, suitable housing will be made available to you and you will be reimbursed for all reasonable out of pocket expenses, including moving costs and any increase in housing costs. You will need to continue to comply with all current lease terms and conditions.

Upon completion of the rehabilitation you will be able to lease and occupy your present unit or another suitable, decent, safe, and sanitary unit in the same building/complex under reasonable terms and conditions.

Since you may have the opportunity to occupy a newly rehabilitated apartment, we urge you not to move. If you choose to move on your own, you will not receive any relocation assistance. We will make every effort to accommodate your needs.

This letter is important to you and should be retained. If you have any questions about this or other relocation issues, please contact me at the address and the phone number below.

Sincerely,

**Maggie Harry**  
**Project Manager**  
**OPC**

\_\_\_\_\_  
*Received by*

X \_\_\_\_\_  
*Recipient's Signature*

\_\_\_\_\_  
*Date*

Delivered on/by: \_\_\_\_\_

Posted on/by: \_\_\_\_\_

Mailed on/returned: \_\_\_\_\_