



Residential Relocation Assistance Program



Foreword

The State of Ohio is engaged in a continuous program of improving its transportation systems. Often this improvement process involves the purchase of land from people so the State's highways and other public modes of transportation can continue to accommodate the number of people using them safely.

If you own or rent property near an existing or proposed highway, or other transportation improvement, you may be interested in the working procedures of the Ohio Department of Transportation and how you, as a citizen, may be affected.

This booklet tells why your property may be needed and what your rights are as a property owner or tenant, and provides answers to some of the questions that might arise if your property is needed for a transportation improvement.

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Introduction

The Relocation Assistance Program is designed to establish a uniform policy to help minimize any hardships you may experience as a result of your move.

This booklet is designed to answer some of your questions about your relocation benefits. Specific information about relocation assistance is contained in the Ohio Revised Code & Ohio Administrative Code. While every effort has been made to ensure the accuracy of this booklet, it does not have the force and effect of law. Should any difference or error occur, the law would take precedence. The law is contained in Chapter 163 of the Ohio Revised Code and in Section 5501:2-5 of the Ohio Administrative Code.

State law provides for certain relocation payments and advisory assistance for displaced persons. These relocation entitlements are discussed on the following pages.

Thank you for taking the time to read this booklet.

Important!

You are not eligible for Relocation Assistance benefits until a written offer is made to purchase the real estate you now occupy or until you receive a Letter of Eligibility. **Do not move until you have received written authorization to do so.** If you move prior to receiving a written Relocation offer, or prior to receiving written authorization to move, you will not receive any relocation payments. To ensure you retain your relocation eligibility, always contact your relocation assistance agent before taking any action concerning your relocation.

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.

Relocation Advisory Services

If you are displaced by a 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. Your concerns are important to us. We will do everything we can to minimize any disruptions and other impacts of the project.

An agent will contact you personally to explain relocation services and payments that apply to you. During the first interview, your housing needs and desires will be assessed as well as your need for assistance. You cannot be required to move unless at least one comparable dwelling is made available to you and you have been given written notice at least 90 days prior to the date by which you will be required to vacate the property. If you need to occupy the property beyond the date the state acquires possession, you will be required to sign a rental agreement and pay rent.

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



In Addition to Personal Contacts

Your Relocation Agent is available to assist you during convenient hours, including evening hours when necessary. Your agent has access or can refer you to the appropriate person/agency for a variety of information concerning:

- Listing 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 agent will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the agent will make every effort to secure the services of those agencies that have the expertise to help you. You should talk to your relocation agent about your desires for these kinds of services.



Relocation Advisory Assistance Check List

This checklist is a summary of the relocation advisory assistance you will receive if you are displaced.

Your relocation agent will personally meet with you to discuss the following:

- Determine any special needs and requirements.
- Explain the relocation process and entitlements.
- Offer relocation advisory assistance.
- Offer transportation, if necessary.
- Ensure the availability of a comparable property in advance of displacement.
- Provide referrals to comparable properties.
- Provide the amount of your maximum replacement housing entitlement in writing 90 days or more before the required vacate date.
- Inspect replacement homes for decent, safe, and sanitary (DSS) standards. This is required on all replacement dwellings.
- Supply information about other federal, state, and local programs offering assistance to displaced persons.
- Provide assistance to minimize hardships.

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
- Self-move
 - fixed residential move cost schedule (or)
 - actual cost move (based on documentation)

You will choose which option to use for your move. Do not move before you have discussed your moving plans with your relocation agent and have received written authorization to move. You can jeopardize your right to receive relocation assistance payments unless you advise ODOT in advance of your moving plans.

Commercial Move

You may be paid for your actual reasonable moving costs and related expenses when the move is performed by a qualified commercial mover.

Reimbursement will be limited to a 50-mile distance in most cases. Related expenses include:

- Disconnecting and reconnecting household appliances.
- Reconnect fees for utilities at the replacement site (i.e., phone, cable & power); however, this does not include reimbursable deposits.

- Temporary storage, if necessary and preapproved, for up to 12 months. All storage requests must be made in writing.
- Insurance for your personal property during the move.

Self-Move Schedule Payment

You may choose to be paid based on a fixed moving cost schedule. The amount of the payment is determined by the schedule shown below. If you choose this option; you will not be eligible for reimbursement of related reconnection expenses previously listed. The first three rooms of the schedule are reimbursed at a higher rate to cover such expenses.

The number of eligible rooms is determined by your relocation agent.

Fixed Moving Cost Schedule

For relocating personal property located in a dwelling:

Number of Eligible Rooms	Payment to Occupants Who Own Furnishings
1	\$600
2	\$800
3	\$1,000
4	\$1,150
5	\$1,300
6	\$1,450
7	\$1,600
8	\$1,750
Plus \$150 for each additional room	

Payment to move contents of a dwelling furnished by the landlord is \$400 for the first room, plus \$100 for each additional room.

Self-Move Actual Cost Option

If you choose a self-move based on your actual move costs, you must, with the assistance of your relocation agent, inventory your personal property to be moved. You will then submit a written estimate of your move costs to the Agency for review. A reasonable amount will be approved prior to your move, and, at the conclusion of your move, you must submit a written statement itemizing your actual move costs. Your relocation agent will help you with this process.

Manufactured Housing Moves

If your manufactured home is personal property and must be moved, you will be eligible for the cost of moving the manufactured home, including disassembling, moving, reassembling, anchoring the unit, and utility reconnection charges.

Porches, decks, skirting and awnings that are not purchased by ODOT will also be moved and reassembled. Reasonable expenses will also be paid for packing and moving of personal property located in the home.

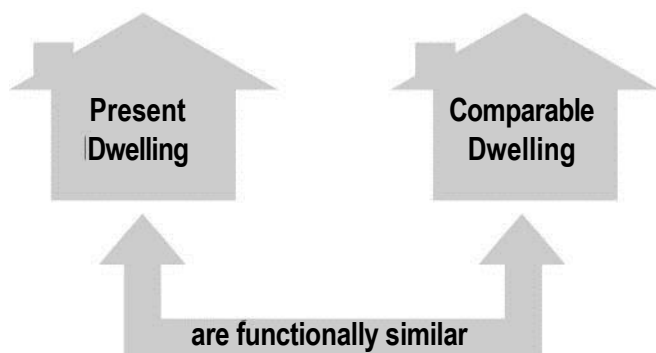
Your relocation agent will secure the necessary moving estimates to relocate your home. Please do not move before you have discussed your move plans with your relocation agent and have received a written authorization to move from the agency.

Replacement Housing Payments

If you are displaced from your residence, you will be given a written eligibility notice at least 90 days prior to being required to move. The notice will describe, in detail, all the relocation benefits you may be eligible to receive. One of these benefits is termed a Replacement Housing Payment. The type of Replacement Housing Payment for which you are eligible depends on if you are a homeowner or tenant, and how long you have lived at your current residence.

Replacement Housing Payments can be better understood if you become familiar with the definitions of the terms “Comparable Replacement Property” and “Decent, Safe and Sanitary.”

Comparable Replacement Property



The asking price or rent of a comparable replacement dwelling will establish the maximum amount you may receive for your replacement housing payment. The comparable replacement dwelling should be functionally similar to your

present dwelling. While it will not be identical to your present dwelling, the replacement should have certain attributes such as:

- 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.

Decent, Safe, and Sanitary

All 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).
- 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 an appropriate source of water and a sewage drainage system.
- Contain a kitchen area, with a fully usable sink properly connected to potable hot and cold water and a sewage drainage system, with adequate space and utility connections for a 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.

Replacement Housing Payments for Homeowners

If you own your home and have occupied it continuously for 90 days prior to ODOT making an offer to purchase your property, you may be eligible to receive a price differential payment based on the costs necessary to purchase a comparable replacement dwelling. You may also receive reimbursement for increased mortgage interest costs and for costs incidental to the purchase of a replacement home.

Price Differential

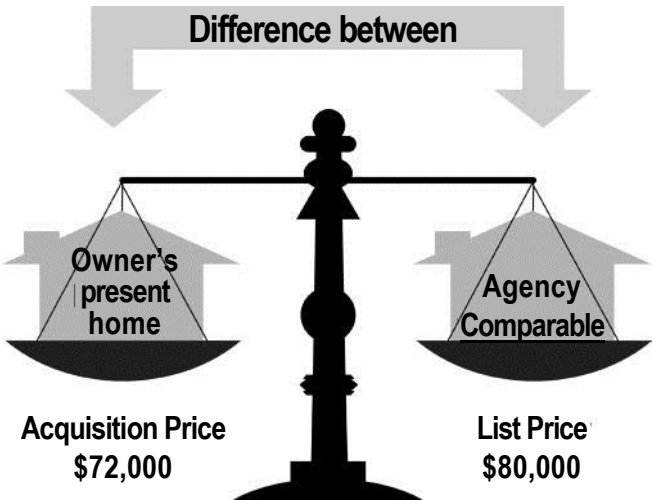
The price differential payment is the amount that a replacement dwelling's costs exceed the acquisition cost of your displacement dwelling. The price differential payment is in addition to the acquisition price paid for your property.

Example

Maximum Price Differential Offer Computation

ODOT computes the maximum payment based on a decent, safe and sanitary comparable replacement property that is currently available for you to purchase. The computation is shown as follows:

Price of Comparable Home	\$80,000
Acquisition Price of Your Property	- <u>\$72,000</u>
Maximum Price Differential Offer	\$8,000



Maximum price differential offer would be \$8,000.

Example

Actual Price Differential Payment Computation

The amount of the price differential payment you receive depends on how much you **actually spend** to purchase a replacement home, and is capped by the established maximum price differential offer. Assuming the maximum payment is \$8,000 (as in the example before); your actual entitlement would be computed as shown in the following examples:

Example A

Purchase Price of Replacement Home	\$80,000
Acquisition Price of Your Property	<u>- \$72,000</u>
Difference	\$8,000
Actual Price Differential Payment	\$8,000

Example B

Purchase Price of Replacement Home	\$87,000
Acquisition Price of Your Property	<u>- \$72,000</u>
Difference	\$15,000
Actual Price Differential Payment	\$8,000
<i>You must pay the Additional</i>	<i>\$7,000</i>

Example C

Purchase Price of Replacement Home	\$75,000
Acquisition Price of Your Property	<u>- \$72,000</u>
Difference	\$3,000
Actual Price Differential Payment	\$3,000

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.

Your displacement dwelling must have been encumbered by a bona fide mortgage that was a valid lien for at least 90 days prior to ODOT's offer to purchase your current property.

Costs Incidental to the Purchase of a Replacement Home

You may also be reimbursed for other expenses, such as reasonable costs incurred for a 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. You must have a mortgage at the displacement site to qualify for mortgage related incidental costs.

Rent Supplement

If you decide not to purchase a replacement property, or if you do not meet the 90-day occupancy requirement, you may be eligible for a rent supplement payment. Your relocation agent can discuss this with you if you are interested in this option.

Time Limits

In order to be eligible for a replacement housing payment, you must purchase and occupy a decent, safe and sanitary replacement dwelling within one year and make your claim for your replacement housing payment within 18 months. Note: your 18-month claiming period starts on the date you receive your final acquisition payment, or the date you move, whichever is later.

Replacement Housing Payment for 90-Day Tenant Occupants

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

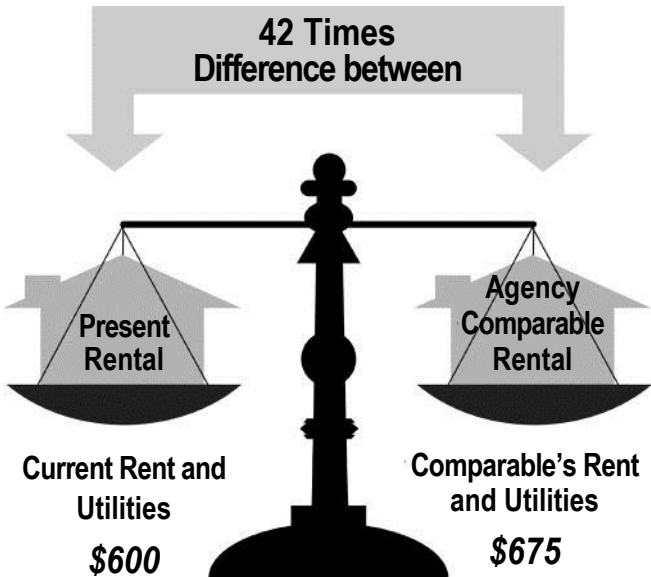
ODOT will determine the maximum payment you may be eligible to receive in accordance with established procedures, and the rental assistance payment will be paid in conformance with ODOT policy.

This payment is designed to enable you to rent a comparable decent, safe, and sanitary replacement dwelling after being displaced by the project. If you choose to rent a replacement dwelling and the rental cost is higher than what you have been paying, you may be eligible for rental assistance.

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

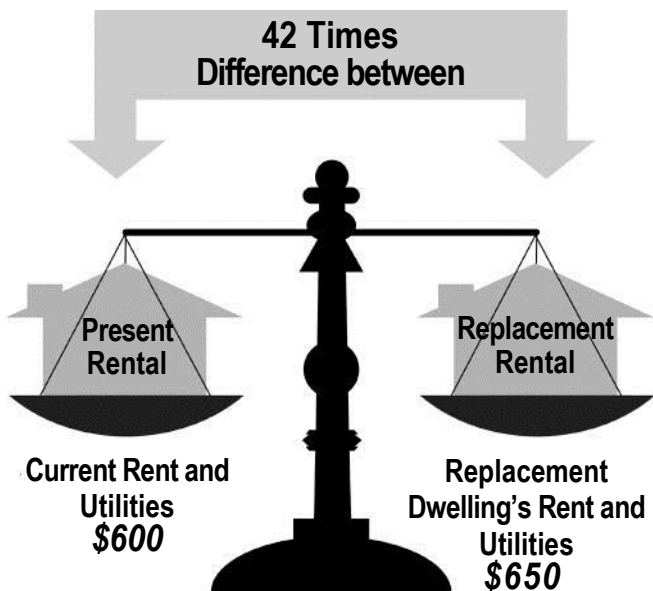
To be eligible for a rental assistance payment, you must rent and occupy a decent, safe and sanitary replacement dwelling within one year, and you must claim any payments within 18 months of your move date.

Example of how a Maximum Rent Supplemental Offer is calculated:



- Rent and Utilities at your current dwelling equals \$600
- Comparable dwelling's Rent and Utilities equals \$675
- Maximum rent supplemental offer equals 42 times the monthly rent difference:
 $42 \times \$75 = \$3,150$
- Your actual Rent Supplement Payment may be any amount up to \$3,150, and will depend on your actual replacement rental amount.

Example of how the Actual Rent Supplemental Payment is Calculated (using the maximum supplement calculations above)



- Rent and Utilities at your current dwelling equals \$600
- Your replacement dwelling's Rent and Utilities equals \$650
- Actual Rent Supplement payment is 42 times the difference: $42 \times \$50 = \$2,100$

Down Payment Assistance

As a 90-day tenant, you may use the full amount of your rent supplement or \$7,200, whichever is greater, towards the down payment and incidental expenses for the purchase of a replacement dwelling. Incidental expenses include the reasonable costs that are normally paid by the buyer in a housing transaction. These expenses may include a home inspection, title search, recording fees and other

closing costs, but may not include prepaid expenses such as real estate taxes and property insurance. The combined amount of your down payment and incidental expenses will be capped by the amount of your calculated rental assistance offer, or \$7,200, whichever is greater.

You must purchase and occupy a decent, safe and sanitary replacement dwelling within one year and claim your payment within 18 months of your move date.

Your Right of Appeal

Any aggrieved person may file a written appeal with the Director of the Ohio Department of Transportation at any time the person believes the agency has failed to properly consider the person's application for assistance under the Relocation Assistance Program. Such assistance may include, but is not limited to, the person's eligibility for, or the amount of a payment required under the Uniform Act, the Ohio Revised Code and/or the Ohio Administrative Code. ODOT will consider a written appeal regardless of its form.

To appeal a determination by the agency, your appeal must be in writing. The letter must clearly state what you are claiming. Your Relocation Agent is required to assist you in filing your appeal. You must file your appeal within 120 days of your denied relocation claim or from the date you were notified that you were ineligible to claim benefits.

Mail the letter and supporting documentation to:

Ohio Department of Transportation
Administrator, Office of Real Estate
1980 West Broad Street, Mail Stop 4120,
Columbus, Ohio 43223

You have the right, but are not required, to be represented by legal counsel or other representation in connection with the appeal.

The Director of the Ohio Department of Transportation will provide you with a written determination resulting from your appeal.

Relocation Payments are not Taxable

For purposes of the Internal Revenue Code, relocation payments are not considered taxable income.

Title VI Policy

State and Federal laws prohibit discrimination on the grounds of race, color, religion, sex, national origin, age or disability. If you have any concerns that your rights under these provisions might have been violated, please contact:

Ohio Department of Transportation
Division of Chief Legal Counsel & Equal
Opportunity, Office of Equal Opportunity
1980 West Broad Street, Mail Stop 3270
Columbus, Ohio 43223-0899
614-466-3664

Fair Housing

If an individual believes they have been the victim of housing discrimination under Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) based on race, color, national origin, religion, sex, family status, or disability, related to a program or service offered by ODOT, an investigation will be conducted pursuant to Title VI of the Civil Rights Act of 1964. A copy of the complaint will also be forwarded to the U.S. Department of Housing and

Urban Development (HUD) for action it deems appropriate. Aggrieved individuals should contact the following:

Ohio Department of Transportation
Division of Chief Legal Counsel & Equal
Opportunity, Office of Equal Opportunity
1980 West Broad Street, Mail Stop 3270
Columbus, Ohio 43223-0899
614-466-3664

**Filing deadline: Within 180 days of the
alleged discriminatory action**

Title VIII (Fair Housing Act) complaints may also be filed with the following agencies:

U.S. Department of Housing and Urban
Development (HUD)
Office of Fair Housing and Equal Opportunity
451 Seventh Street, SW
Washington, DC 20410-2000
1-800-669-9777

**Filing deadline: Within one year of the alleged
discriminatory action**

and

The Ohio Civil Rights Commission (OCRC)
30 East Broad Street, 5th Floor
Columbus, OH 43215
614-466-2785 or 1-888-278-7101

**Filing deadline: within 180 days of the alleged
discriminatory action**

ODOT OFFICES

District Real Estate Managers' Contact Information:

District 1

1885 N. McCullough St.
Lima, OH 45801
(419) 222-9055

District 2

317 East Poe Rd.
Bowling Green, OH 43402
(419) 353-8131

District 3

906 Clark Avenue
Ashland, OH 44805
(419) 281-9513

District 4

2088 S. Arlington Road
Akron, OH 44306
(330) 786-3100

District 5

9600 Jacksontown Road
Jacksontown, OH 43030
(740) 323-4400

District 6

400 East William St.
Delaware, OH 43015
(740) 833-8000

District 7

1001 St. Mary's Ave.,
Sidney, OH 45365
(937) 492-1141

District 8

505 S. State Route 741
Lebanon, OH 45036
(513) 932-3030

District 9

650 Eastern Avenue
Chillicothe, OH 45601
(740) 773-2691

District 10

338 Muskingum Drive
Marietta, OH 45750
(740) 568-3900

District 11

2201 Reiser Avenue
New Philadelphia, OH 44663
(330) 339-6633

District 12

5500 Transportation Blvd
Garfield Heights, OH 44125
(216) 581-2100

ODOT Districts Map



Your Relocation Agent is:

Name

Address

City & State

Zip Code

Email

Telephone

(Agent: Fill out the above section or affix a business card to this page.)



OHIO DEPARTMENT OF
TRANSPORTATION

