# Citizen's Guide To Relocation Assistance

## From Local Public Agencies in Mississippi

# Citizen's Guide to Relocation Assistance

## From Local Public Agencies in Mississippi

## Contents


Declaration of Policy . . . . . 1

Comparable Housing . . . . . 2

Decent, Safe and Sanitary Housing . . . . . 3

Types of Replacement Housing Payments . . . . . 4

Purchase Supplement . . . . . 5

Rent Supplement. . . . . 7

Down Payment . . . . . 8

Replacement Housing as Last Resort. . . . . 9

Moving Reimbursements: Residential . . . . . 10

To All Displacees . . . . . 11

Replacement Housing & Residential Moving Expense Payments Questions . . . . . 11

Moving Reimbursements: Businesses, Farms, & Non-profit Organizations . . . . . 15

Types of Payments . . . . . 16

Moving Expense Payments Questions . . . . . 20

Relocation Assistance Advisory Services . . . . . 22

Another Important Benefit. . . . . 24

Your Right of Appeal . . . . . 24

A Final Word . . . . . 25

MDOT Statement of Nondiscrimination . . . . . 26

# 1: DECLARATION OF *POLICY*

The Relocation Assistance Program was made possible by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and by Senate Bills 1831 and 2028 passed by the Mississippi Legislature. Relocation Assistance payments and advisory services as provided by these laws will be provided on all State and Federal-Aid transportation projects without regard to race, color, religion, sex, or national origin.

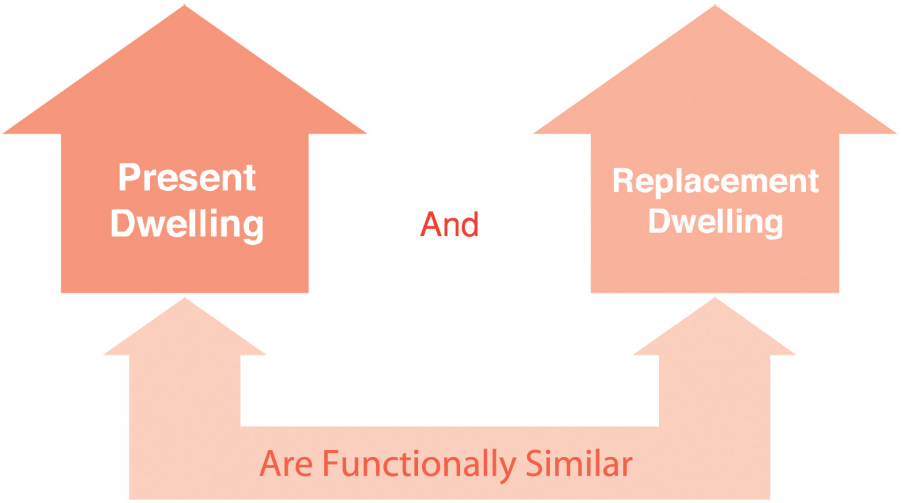
One of the unfortunate, but unavoidable, consequences of a modern transportation system is the necessary displacement of a comparatively small percentage of the population for the greater good of the whole. If you are one of the few to be displaced, your local public agency (herein after referred to as "agency") will insure you receive fair and equitable treatment and shall not suffer disproportionate injuries as a result of your displacement.

This booklet has been prepared to explain the benefits provided to displacees by the Relocation Assistance Program. However, a relocation agent representing the Agency will contact you in person and explain in detail the Relocation Assistance Program as it pertains to you as well as the benefits which you may be eligible to receive. He/She will answer any questions you may have and provide relocation assistance advisory services according to your needs.

If you are displaced from your dwelling, business or farm operation you will not be required to move in less than 90 days from the initiation of negotiations for your property. If you are a residential displacee you will not be required to vacate your dwelling until at least one comparable dwelling has been made available to you. A comparable replacement dwelling will be considered to have been made available to you if: (1) You are informed of its location; (2) You have had sufficient time to negotiate and enter into a purchase agreement or lease for the property (not less than 90 days); (3) You are assured of receiving, subject to reasonable safeguards the relocation assistance and acquisition compensation to which you are entitled in sufficient time to complete the purchase or lease of the replacement property.

If the Agency displaces you from your dwelling you must be offered a comparable replacement dwelling. In order for you to be eligible for any type of replacement housing payment through the Relocation Assistance Program you must move to a decent, safe, and sanitary dwelling and meet the other eligibility requirements explained in this brochure. The terms "Comparable Replacement Dwelling" and "Decent, Safe, and Sanitary Dwelling" are defined as follows:

**A Comparable Replacement Means That It Is Decent, Safe and Sanitary and Your...**



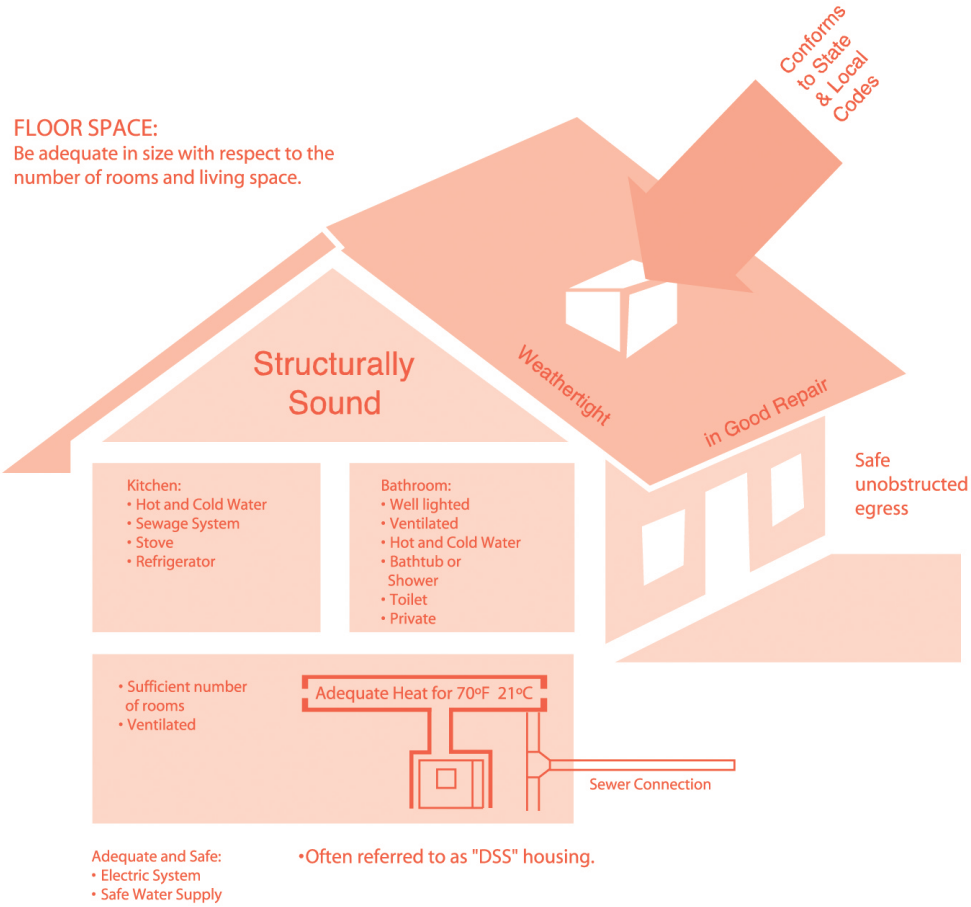

**Regarding:**

- **Number of Rooms**
- **Habitable Floor Space**
- **Type of Construction**
- **Quality Neighborhood**
- **Etc., Etc.**

A comparable replacement dwelling is one which is decent, safe and sanitary (DSS), functionally similar and substantially the same as the original dwelling acquired, in the number of rooms and habitable floor space. It must be located in an equal or better neighborhood not subject to unreasonable adverse environmental factors, and must be currently available to you.

## Decent, Safe and Sanitary

Replacement housing must be decent, safe and sanitary. This means it meets all the minimum requirements established by law and also conforms to local housing codes and ordinances for existing structures.



# 2: TYPES OF REPLACEMENT
## *HOUSING PAYMENTS*

**Three Basic Types:**

1: Purchase Supplement-for owner occupants of 90 days or more
2: Rent Supplement-for owner occupants and tenants of 90 days or more
3: Down Payment-for owner occupants of less than 90 days and tenants of 90 days or more

The type of replacement housing payment to which you are entitled depends on whether you are an owner or a tenant, and how long you have occupied your home before the initiation of negotiations. "Initiation of negotiations" is the date the local Agency's property acquisition agent makes personal or written contact with the owner of the dwelling, or his representative, and presents a written offer for the property.

If you do not meet any of the occupancy requirements above you will not be eligible for any type of replacement housing payment if "comparable replacement housing" is available within your financial means.

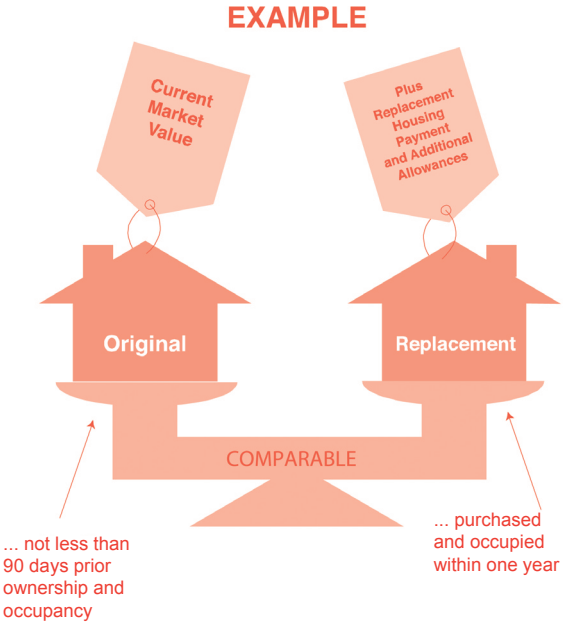
All displaced occupants of dwellings who are eligible for replacement housing payment must purchase and occupy, or rent or lease and occupy, a decent, safe, and sanitary replacement dwelling within one year from the applicable dates specified in Question and Answer number 4 on pages 12 and 13 of this brochure.

# 3: PURCHASE SUPPLEMENT

## *FOR OWNER OCCUPANTS OF 90 DAYS OR MORE*

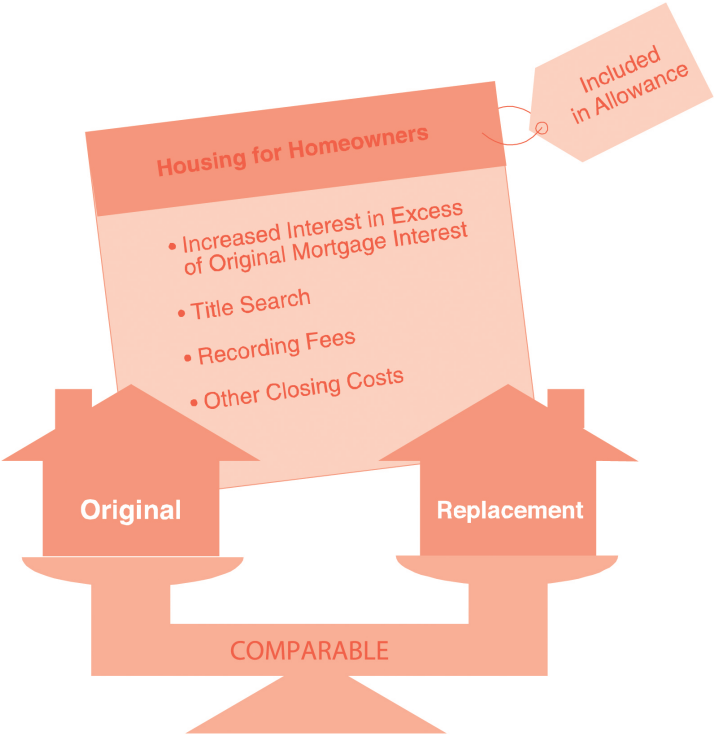
If you are an owner and have occupied your dwelling for 90 days or more before the initiation of negotiations, you may be eligible for a purchase supplement in addition to just compensation for your property. The Agency will compute the maximum payment you are eligible to receive and attempt to balance the scale illustrated below.

Assume that the Agency acquires your property for $30,000. After a thorough study of all available decent, safe and sanitary dwellings on the open market comparable to your dwelling, the Agency determines that a replacement dwelling will cost you $40,000. The Agency will pay you a maximum purchase supplement in the amount of $10,000 if you, in fact, purchase a decent, safe and sanitary replacement dwelling costing $40,000 or more.




If the cost of your replacement exceeds $40,000, you must pay the difference in excess of the $10,000 purchase supplement. For example, if you should purchase a replacement dwelling that cost $42,000 you would receive a purchase supplement of $10,000 and you would pay the difference of $2,000. However, if you purchased a replacement dwelling for $38,000, you would receive a payment of $8,000 on the basis of your actual cost. Your purchase supplement cannot exceed the actual cost difference or the amount determined by the Agency, whichever is less.

## Other Costs Reimbursed for Replacement Housing




## In Addition to the Purchase Supplement

The Agency will also reimburse you for some other costs involved in the purchase of a replacement dwelling.

## Increased Interest Cost

You will be reimbursed for increased interest costs if the interest rate on your new mortgage exceeds that of your present mortgage. To be eligible your acquired dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 90 days prior to the initiation of negotiations.

You may also be eligible for reimbursement of purchaser points and/or a loan origination fee, if such fees are normal to real estate transactions in your area.

## Incidental Expenses

You may be reimbursed for other expenses such as reasonable costs incurred for title search, recording fees and certain other closing costs, but not including prepaid expenses such as real estate taxes and property insurance.

# 4: RENT SUPPLEMENT

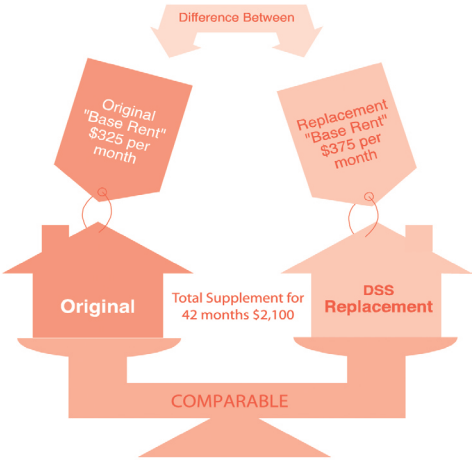
## *FOR OWNER OCCUPANTS OF LESS THAN 90 DAYS AND TENANTS OF 90 DAYS OR MORE*

If you as an owner have been in occupancy for less than 90 days or a tenant of 90 days or more prior to the initiation of negotiations you may be eligible for a rent supplement.

Rent supplement payments are determined by converting actual monthly rent to a "base monthly rent." The "base monthly rent" will include appropriate adjustments allowing for perceived differences in estimated monthly utility costs (heat, light, water, and sewer) which are not included in the actual rent. Additional adjustments based on gross family income or any housing assistance payments which you may be receiving may be required in establishing a "base monthly rent" for the dwelling you now occupy. You may be asked to provide information verifying utilities costs, gross family income and/or housing assistance payments.

"Market rent" converted to "base monthly rent" as described above is used to compute a rent supplement for a home owner.

As an example of how a rent supplement is computed, let us assume that the adjusted "base monthly rent" for your present dwelling is determined to be $325 per month. After a study of the market, the Agency determines that the adjusted "base monthly rent" for a comparable dwelling is $375 per month. The maximum rent supplement you can receive in this case is $50 per month for a forty-two (42) month period, or $2,100.




If you elect to rent a decent, safe, and sanitary replacement dwelling which exceeds the maximum payment determined by the Agency, you must pay the excess out of your own pocket.

If you select a decent, safe and sanitary replacement dwelling that rents for more than your present dwelling but less than the amount determined by the Agency, you will be paid on the basis of the actual cost.

# 5: DOWN PAYMENT

## *OWNER OCCUPANTS OF LESS THAN 90 DAYS AND TENANTS OF 90 DAYS OR MORE*

Owner occupants of less than 90 days and tenants of 90 days or more are eligible for assistance toward a down payment for the purchase of a decent, safe and sanitary replacement dwelling.

You may also be reimbursed certain incidental expenses incurred in the purchase of a replacement dwelling. Examples are reasonable costs of title search, recording fees, and certain other closing costs, but not including prepaid expenses such as real estate taxes and property insurance.

If you elect to purchase a replacement dwelling, contact your Agency relocation assistance agent and he/she will advise you of the maximum amount you may receive from the Agency as a down payment. The full amount of the required down payment must be applied to the purchase price of the replacement dwelling and related incidental expenses. You must furnish the relocation assistance agent with a closing statement, or other written valid proof, supporting the cost of the replacement dwelling and the amount applied as down payment and closing costs.

# 6: REPLACEMENT

## *HOUSING AS LAST RESORT*

Federal and State laws and regulations require that residential displacees on Federal-Aid projects be offered comparable decent, safe, and sanitary housing before they can be required to move from their dwellings. On Federal-Aid projects replacement housing payments for 90 day owner occupants are limited to $31,000 above the price paid for their displacement dwelling. For owners of less than 90 days and for tenants of 90 days or more the replacement housing payment is limited to $7,200. In most cases adequate replacement housing will be available for sale or rent on the market and comparable replacement housing can be offered to displacees.

However, in unusual circumstances comparable decent, safe, and sanitary replacement housing may not be available, or if it is available, it may not be within the $31,000 or $7,200 maximum limitations. Federal law and Federal and State regulations, in these rare cases, allow the acquiring agency to take such action as may be necessary only as a last resort, to provide comparable replacement housing so the project can proceed to actual construction.

If in your case the provisions of "last resort housing" need to be utilized in order to offer you comparable decent, safe and sanitary replacement housing, your relocation assistance agent will so advise you. He will also tell you of the methods of payments and of your rights and options under the provisions of “last resort housing.”

# 7: MOVING COST REIMBURSEMENT: *RESIDENTIAL*

## Actual Reasonable Moving Costs:

Persons displaced from their place of residence are entitled to payment of actual, reasonable, and necessary moving and related expenses such as; (a) transportation for a distance not to exceed 50 miles; (b) storage; (c) moving insurance; (d) packing and unpacking of household goods and other personal property; and (e) other related expenses. Claims for actual moving costs must be supported by receipted bills.

## Fixed Moving Cost Schedule:

Instead of actual cost moving expense payments, you may choose to claim moving costs on a per room basis according to the schedule shown below. Receipted bills not required.

## RESIDENTIAL MOVING EXPENSE AND DISLOCATION ALLOWANCE PAYMENT SCHEDULE

**SEE EXCEPTIONS BELOW**

| Occupants Own Furniture | | | | | | | | | Occupants Do Not Own Furniture | |
|---|---|---|---|---|---|---|---|---|---|---|
| Number of Rooms of Furniture | | | | | | | | Each Add. Room | 1 Room/ No Furniture | Additional Room/ No Furniture |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | | | |
| $750 | $850 | $1000 | $1200 | $1400 | $1550 | $1700 | $1850 | $300 | $400 | $100 |

EXCEPTIONS:

1. Expense and dislocation allowance to a person whose move is performed by an agency at no cost to the person is limited to $50.
2. Expense and dislocation allowance to a person with minimal possessions who is in occupancy of a dormitory style room shared by two or more unrelated persons is limited to $50.
3. Mobile Homes:
   (a) All moves of the mobile home are paid on an actual, reasonable cost basis. The occupant who moves with the mobile home may, at the Agency's discretion, be paid a reasonable amount for packing and securing personal property for the move.

(b) An occupant who moved from a mobile home may be paid for removal of personal property from the mobile home and site in accordance with the moving expense and dislocation allowance schedule as determined by the number of rooms and whether the person owns or does not own the furniture. Such person may also choose reimbursement for moving expenses on an actual, reasonable cost basis in lieu of the schedule allowance.

**To All Displacees...**

The most important thing to remember is that the replacement dwelling you select must meet the basic "decent, safe and sanitary" standards. If you have any doubts that your replacement dwelling meets the DSS standards, ask your relocation assistance agent to inspect it prior to executing a sales contract. Please do not jeopardize your right to receive a supplemental payment by moving into a substandard dwelling.

## Questions Frequently Asked About Replacement Housing and Residential Moving Expense Payments

### 1. To what payments am I entitled if I am displaced from my mobile home?

You will be entitled to a moving expense payment and a replacement housing payment as any other residential displacee. Moving expense payment for the mobile home and persons who move with the mobile home will be paid on an actual cost basis. If you are required to move from the mobile home you may choose to be paid moving costs on an actual cost basis or under the residential moving expense schedule.

The replacement housing payment will be computed on your individual situation: (1) tenant of both mobile home and site, (2) owner of both mobile home and site, (3) owner of mobile home and tenant of site, (4) mobile home is personal property, (5) mobile home is real property. Whatever your individual circumstances are, your moving and replacement housing payments will be computed accordingly by your relocation assistance agent and he/she will discuss this with you in detail.

## 2. When must I vacate my dwelling?

A 90-day notice will be given on or after the initiation of negotiations for the parcel, and shall include a statement that you will not be required to move from your dwelling before 90 days from the date of the notice. Such notice will inform you that you will be given a 30-day written notice specifying the date by which your property must be vacated. The 30-day written notice will be delayed if a comparable, decent, safe and sanitary replacement dwelling has not been made available to you and the notice will not be given until such dwelling is made available. ("Made available" means you have either by yourself obtained and have the right of possession of replacement housing, or the Agency has offered you comparable, decent, safe and sanitary housing which is available for immediate occupancy.)

## 3. When can I expect to receive my relocation assistance payments?

Generally, all relocation assistance payments are made within 30-60 days after you have relocated and moved all your personal property. You will need to coordinate your move with your relocation assistance agent so that you will be able to submit all required documentation with your claim for payment. In a "hardship case" the moving expense may be paid in advance of the move. Arrangements may be made with your relocation assistance agent to have your replacement housing payment available at the closing of your replacement dwelling.

If your dwelling is condemned and acquired through eminent domain court, your relocation assistance agent will provide you with Agency regulations setting forth how the replacement housing payment will be computed after your case has been finally adjudicated. If there is going to be a delay in the final adjudication of your case, he/she will also advise under what conditions you may have received an advanced replacement housing payment.

## 4. Is there a time limit on my relocation assistance program?

If you meet all the other additional eligibility requirements, you will be eligible for the appropriate replacement housing payment if you relocate and occupy a decent, safe and sanitary replacement dwelling within one year after:

a. If you are a tenant, the date you move from the displacement dwelling; or
b. If you are an owner, the later of:
   (1) The date you receive final payment for the displacement dwelling, or in the case of condemnation, the date the required amount is deposited in the court; or
   (2) The date you move from your displacement dwelling.

c. If you construct a replacement dwelling you must go into contract to construct within the one year period specified above. In this case you will have an additional six months to claim your payment.

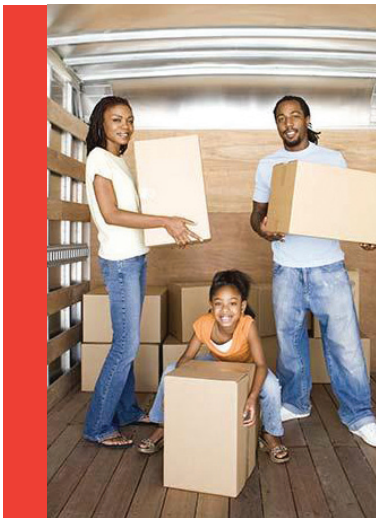
You will have up to 18 months to claim a moving expense reimbursement from the date you move the personal property.

### 5. What if I am unable to move by the time I am required by the 30-day notice?

If, for circumstances beyond your reasonable control, you are unable to vacate your dwelling by the date specified in the 30-day notice, you may request a 30-day extension. The request must be in writing stating the reason for your request and mailed to the _____

_____.

### 6. What about the cost of moving my dwelling?



When you retain your dwelling through the owner retention process the cost of moving it onto remainder or replacement land is not eligible for reimbursement as a part of the cost of moving your personal property. However, if you choose to use your dwelling as a means of moving your personal property, the cost of moving your personal property may be reimbursed in accordance with the fixed schedule contained in this booklet.

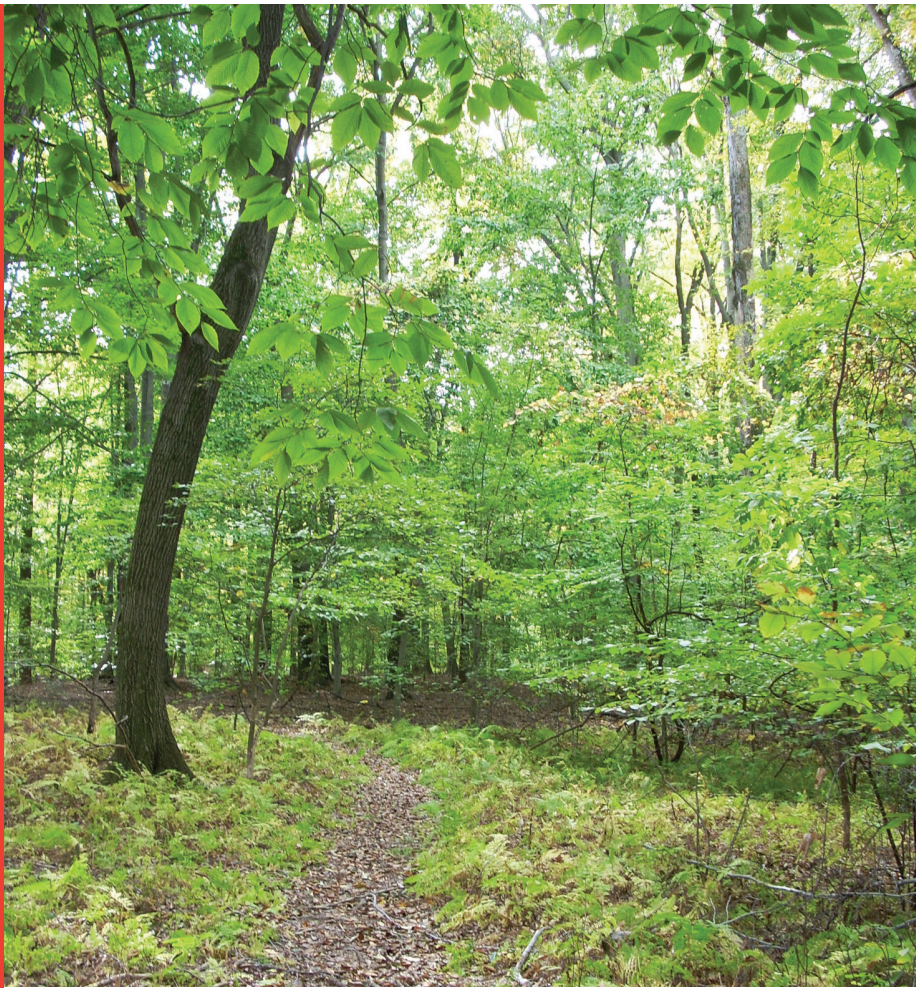
### 7. If I retain, move and occupy my present dwellings as my replacement dwelling, will I be eligible for a replacement housing payment?

Usually you would not be eligible for a replacement housing payment. However, if the costs to retain your dwelling and move it to another homesite exceeds what the Agency paid you for your dwelling, you will be eligible for the excess cost up to the amount, if any, you were offered as a purchase supplement. In addition to the costs involved to retain and to move your dwelling, you may count the costs incurred in restoring it to a condition to that before the move, making it decent, safe and sanitary, and the cost of the replacement homesite.

**8. If I put my new dwelling on other land I already own, can I count the value of my land toward qualifying for a purchase supplement?**

If you relocate on your remaining land the market value credit will be that of a typical size lot and its value determined by the remainder value as stated in the appraisal used in the acquisition process.

**These are the most frequently asked questions. If you have other questions, please do not hesitate to ask you relocation assistance agent. He/She will be very happy to answer any questions you may have concerning the relocation assistance program.**



# 8: MOVING COST REIMBURSEMENT: *BUSINESSES, FARMS, AND NONPROFIT ORGANIZATIONS*

If you are the owner of a displaced business, farm operation or nonprofit organization you are entitled to reimbursement of moving and related expenses for the removal and reinstallation of personal property which is required to be moved as a result of the acquisition of your real property. Payment may be made on the basis of actual cost and, if you qualify, you may also receive a fixed payment.

## Types of Payments:

### 1. Actual Reasonable Moving Expense:

**Commercial moves.** You may be paid the actual reasonable costs of your move provided through the services of a commercial mover. All of your expenses must be supported by receipted bills in order to insure prompt payment of your moving cost claim.

**Self moves**. If you elect to take full responsibility for all or part of your move the Agency may approve a payment for your moving expenses in an amount not to exceed the lowest acceptable bid or estimate. This payment will be based on a certified inventory of your personal property and can be claimed without submission of any additional documentation.

**Actual direct losses of tangible personal property.** If your payment is based on actual reasonable moving expenses, you may also be eligible for actual direct loss of tangible personal property incurred as a result of moving or discontinuing your operation. However, no payment for loss of tangible personal property can be greater than the cost of moving and reinstalling the items. This will be explained in detail by your Relocation Assistance Agent should you elect this benefit.

**Searching expenses for replacement property.** Displaced businesses, farms and nonprofit organizations who move on an actual cost basis may be reimbursed for actual reasonable expenses related to searching for a replacement property, not to exceed $2,500. All such expenses, except actual time spent in search and the actual value of time and mileage driven in personal vehicle, must be supported by receipted bills. Payment for actual time spent searching shall be based on reasonable salary earnings of the person(s) conducting the search. Actual mileage claimed for use of the personal vehicle in search shall not exceed the prevailing rate authorized for reimbursement to state employees for use of a personal vehicle. A daily log of time spent and mileage driven must be kept. A certified statement of time spent, hourly wage rate(s) and mileage driven shall accompany the claim.

**To be eligible for reimbursement for the actual reasonable moving expenses you are required to:**

1. Provide the Agency reasonable advance notice of the approximate date of the start of the move or disposition of personal property; and,

2. A certified inventory of the items of personal property to be moved; and,

3. Permit the Agency to make reasonable and timely inspections of the personal property at both the displacement and replacement sites, and to monitor the move.

**2. Reestablishment expenses**: A small business, farm, or nonprofit organization may also be eligible to receive a payment, not to exceed $25,000, for expenses actually incurred as a direct result of relocating and re-establishing such business, farm, or nonprofit organization at a replacement site. A small business is defined as having not more than 500 employees working at the site being acquired or displaced by a program or project.

**A. Eligible Reestablishment Expenses:** Reestablishment expenses must be reasonable and necessary as determined by the Agency. Such expenses must be verified by receipted bills and/or other valid documentation. They may include but are not necessarily limited to:

(1) Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.

(2) Modifications to the replacement property to accommodate the business operation or make replacement structure suitable for conducting the business.

(3) Construction and installation cost for exterior signing to advertise the business.

(4) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpet.

(5) Advertisement of replacement relocation.

(6) Estimated increased cost of operation during the first two years of operation at the replacement site for such items as:

(a) Lease or rental charges.
(b) Personal or real property taxes.
(c) Insurance premiums.
(d) Utility charges, excluding impact fees.

(7) Other items that the Agency considers essential to the reestablishment of the business.

In no event may the aggregate sum of all reestablishment expenses exceed the $25,000 statutory maximum.

**B. Ineligible reestablishment Expenses:** This is a non-exclusive listing of reestablishment expenditures not considered to be reasonable, necessary, or otherwise eligible:

(1) Purchase of capital assets, such as office furniture, filing cabinets, machinery, or trade fixtures.
(2) Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.
(3) Interest on money borrowed to make the move or purchase the replacement property.
(4) Payment to a part-time business operation from the home which does not contribute materially to the household income.

### 3. Fixed Payment:

Displaced businesses, farm operations, or nonprofit organizations may also qualify for a fixed payment in addition to actual moving expenses, actual direct losses of personal property, searching expenses, and reestablishment expenses. The fixed payment is based on the average annual net earnings, based upon tax returns, of the displaced business, farm or nonprofit organization. The payment may not be less than $1,000 nor more than $40,000.

## Basic requirements to qualify for the fixed payment are:

**1. Business:** (a) The Agency must determine that the business cannot be relocated without a substantial loss of existing patronage (clientele or net earnings); (b) The business is not a part of a commercial enterprise having more than three other entities which are not being acquired by the Agency, and which are under the same ownership and engaged in the same or similar business; (c) The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others; (d) The business is not operated at the displacement site solely for the purpose of renting the site to others; (e) The business contributed materially to the income of the displaced person during the two taxable years prior to displacement. The Agency may require tax returns, certified financial records and other articles of proof deemed necessary to establish eligibility to the fixed payment.

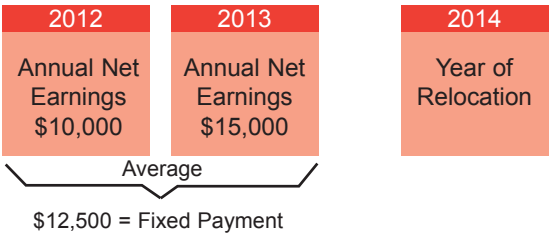
**2. Farm Operations:** (a) The acquisition caused the operator to be displaced from the farm operation on the remaining land. Or (b) The acquisition caused substantial change in the nature of the farm operation.

**3. Non profit Organization:** (a) Cannot be relocated without a substantial loss of existing patronage (membership or clientele).

## The Computation of Your Fixed Payment (In Lieu)

Is based upon the average annual net earnings for two taxable years immediately preceding the taxable year during which the enterprise is relocated.

You must provide information to the Agency to support your net earnings.




Your relocation assistance agent will explain eligibility requirements and methods of computation to you in great detail if you are interested in pursuing this course of action.

## Questions Frequently Asked About Moving Expense Payments

### 1. Is there a time limit on filing a claim for moving expenses?

There is a time limit of 18 months after you move within which you must file a claim for moving expense payments. However, you should file your claim as soon as possible after you have moved.

### 2. How soon will I receive payment?

As soon as your fully executed claim is received by the Agency, it will be processed and payment will be issued and mailed to you in approximately thirty (30) to sixty (60) days.

### 3. In a hardship case, can I be paid for my move in advance?

Yes, in hardship cases, arrangements may be made to pay moving expenses in advance. Requests for hardship status should be in writing and include a detailed explanation of the reason(s) why you need an advance payment.

### 4. What about the non-occupant owner of a mobile home?

The non-occupant owner of a mobile home or house trailer which is considered to be personal property is entitled to receive a payment for actual reasonable expenses of moving the mobile home or house trailer, including the cost of detaching and reattaching fixtures and appliances when necessary.

## 5. Are there some moving expenses and losses which are not eligible for reimbursement?

A displaced person is not entitled to payment for:

A. The cost of moving any structure or other real property improvement in which the displaced person reserved ownership.

B. Interest on a loan to cover moving expenses.

C. Loss of goodwill.

D. Loss of profits.

E. Loss of trained employees.

F. Any additional operating expense of a business, farm, or nonprofit organization incurred because of operating in a new location, except as provided under Reestablishment Expenses, paragraph A(6) on page 18.

G. Personal injury.

H. Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before the Agency.

I. Expenses for searching for a replacement dwelling.

J. Physical changes to the real property at the replacement location of a business, farm, or nonprofit organization, except as provided under Reestablishment Expenses, see paragraphs A(1), (2), (4), and (5) on pages 17 & 18.

K. Costs for storage of personal property on real property owned or leased by the displaced person.

## 6. What if I am unable to move by the time I am required to by the 30-day notice?

If for circumstances beyond your reasonable control, you are unable to move by the date specified in the 30-day notice, you may request a 30-day extension. The request must be in writing stating the reasons for your request and mailed to _____

_____

_____.

# 10: RELOCATION ASSISTANCE

## *ADVISORY SERVICES*

Any person, family, business or farm displaced by a Local Public Agency Project shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by or contracted by the Agency. In the event the Agency utilizes a consultant firm to provide relocation services, you will then be contacted by a Consultant Relocation Representative from the consultant firm. The Agency will review the relocation assistance services that are provided by the consultant and approve all relocation assistance payments. It is their goal and desire to be of service to you, and assist in any way possible to help you successfully relocate.

Remember: They are there to **help and advise you**; be sure to make full use of their services. Do not hesitate to ask questions, and be sure you understand fully all of your rights and relocation benefits.

### Residential Assistance

A relocation agent from the Agency will contact you personally. He/She will explain the services and payments available to you in accordance with your eligibility. During the initial interview, he/she will determine your housing needs and desires as well as your need for his/her services. The relocation agent can be of great help to you during this period of transition so do not take his/her offer of assistance lightly. If you accept the agent's offer of assistance, you will be provided with current listings of comparable replacement housing which are within your financial means, available on the open market and "decent, safe and sanitary." Be assured that comparable replacement housing will be available to you before you will be required to relocate. Information will also be available concerning Federal and State housing programs, disaster loan programs, and other Federal or State agencies offering assistance to displaced persons.

## Business and Farm Assistance

The relocation assistance agent will maintain listings of commercial properties and farms whenever business and farms are displaced. Steps will be taken to minimize economic harm to displaced businesses and to increase the likelihood of their being able to relocate back into the affected community. The agent will also explore and provide advice as to possible sources of funding and assistance from other local, State, and Federal agencies.

## In Addition to Personal Contacts...

In addition to personal contacts by your relocation assistance agent, you may find a relocation office has been established on or near a project where a considerable number of people are to be relocated. Relocation agents maintain considerable information which may be of assistance to you such as lists of replacement properties, information concerning local housing ordinances, open housing, building codes, social services, data for such costs as security deposits, closing costs, typical down payments, interests rates and terms, VA and FHA insured loan requirements, real property taxes, consumer education literature on housing and various other subjects.

## Social Services Provided By Other Agencies

Your relocation assistance agent is also familiar with the services provided by other public and private agencies in your community. If you have a special problem, he/she will make every effort to secure the services of those organizations which are professionally equipped to help you. So please make your needs known to your counselor; if he/she cannot personally help you with specific problems, perhaps he/she knows someone who can.

## ANOTHER IMPORTANT BENEFIT ...

**No Adverse Effects on:**

- **Social Security**
- **Welfare Eligibility**
- **Other Assistance**
- **Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or under any Federal law.

### Your Right of Appeal

Yes, you have the right to appeal, if you are dissatisfied with the determination made as to your eligibility for payments or the amount of the payment you are offered. Upon request, a form will be furnished so that you can set forth your reasons for the appeal. At your request, the Relocation Assistance Agent assigned to the project will assist you in filling out the Appeal Form.

### Appeal Response

The Local Public Agency will receive the appeal. Within 30 days of receipt of the appeal, the agency shall review and respond in writing to the appeal. If the aggrieved party remains unsatisfied, the aggrieved party must, within 30 days, notify the agency in writing of their refusal to accept the decision of the agency. The appeal shall then be referred to an independent hearing agent selected by the Office of the Attorney General. A recorded hearing will be held at a time and place and in the manner prescribed by the hearing agent. Further, appeals from this hearing shall be in accordance with section 43-39-25 MCA 1972 annotated.

**For additional information or services, call or write:**

_____

_____

_____

_____

_____

_____

# 11: A FINAL WORD

Your Local Public Agency wishes it could construct projects without displacing anyone. This, however, is not possible in all cases. You may be assured if you are displaced from your dwelling, business or farm operation that your local Agency will make every effort within limitations of its relocation assistance program to ease the burden of your pending relocation.

Additional copies of this brochure or any applicable regulations or procedures are available from the Relocation Assistance Agent assigned to each project and/or from the local public Agency office.

MDOT Statement of Nondiscrimination

The Mississippi Department of Transportation (MDOT) operates its programs and services without regard to race, color, national origin, sex, age, or disability in accordance with Title VI of the Civil Rights Act of 1964, as amended and related statutes and implementing authorities. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with MDOT.

For more information on MDOT's civil rights program, and the procedures to file a complaint, contact 601-359-7466; email jrigby@mdot.ms.gov; or visit our Office of Civil Rights located at 401 North West Street, Jackson, MS 39201. For more information, visit www.mdot.ms.gov

If information is needed in another language, contact 601-359-7466
Si necesita información en otro idioma, contacto 601-359-7466

*Printed by the Mississippi Department of Transportation Central Services Division. Rev. 10/2014.*