

# Relocation Assistance & Benefits



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The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, and contractors.

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## **NOTICE:**

**Relocation assistance outlined in this brochure is provided in compliance with 49 CFR Part 24, Uniform Act, 42 U.S.C. 4601-4655 amended by the Public Law 105-117, enacted on November 21, 1997 which provides that an alien not lawfully present in the United States shall not be eligible to receive relocation payments or any other assistance unless such ineligibility would result in exceptional and extremely unusual hardship to the alien's spouse, parent, or child which is a citizen of an alien admitted for permanent residence.**

# Table of Contents

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Introduction .....	1
Basic Steps to Acquisition and Relocation .....	2
Definitions .....	4
Relocation Assistance Advisory Services .....	6
Benefits for <b>Residential</b> Displaced Persons .....	9
Moving Payments .....	10
Fixed Moving Cost Schedule .....	11
Replacement Housing Payments .....	12
Comparable Replacement .....	13
Decent, Safe, and Sanitary Housing .....	14
Price Differential .....	16
Increased Interest and Incidental Expenses .....	18
Rental Assistance Payment .....	19
Down Payment .....	21
Benefits for Personal Property only moves .....	22
Benefits for <b>Non-Residential</b> Displaced Persons .....	23
Moving Payments .....	24
Searching Expenses .....	26
Actual Direct Loss of Tangible Property .....	27
Substitute Personal Property .....	27
Reestablishment Expenses .....	28
Fixed Payment .....	30
Miscellaneous Information .....	33
Legal Rights .....	36
EEO Statement .....	37

# INTRODUCTION

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In the building of modern transportation systems, one of the unfortunate, but unavoidable consequences is the necessary displacement of a comparatively small percentage of the population for the greater good of the whole.

If you are required to move as the result of a publicly financed construction project, you may be eligible for relocation assistance advisory services and payments provided by federal and state law.

This brochure contains general information designed to acquaint you with the available relocation services and benefits. Your relocation agent from the Oklahoma Department of Transportation (ODOT) will be able to answer your specific questions.

**If You are an Owner:**

1. You will be interviewed by the relocation agent.
2. A relocation study will be completed.
3. The acquiring agency will appraise your property.
4. The appraisal report will be reviewed.
5. The acquisition and relocation offers will be made to you together. At this time, you will receive a 90-day notice to vacate.
6. If you accept the acquisition offer and are satisfied with the relocation offer;
  - a. A replacement property will need to be located. We can assist you in finding a suitable replacement property.
  - b. In the meantime, the acquisition payment will be prepared and delivered to you.
  - c. A final 30-day vacating notice will be issued.
  - d. You will close on your replacement property, and move from the displacement site.
  - e. Final relocation payments will be made.
7. If you don't think the acquisition offer is fair and reasonable, and no agreement can be reached:
  - a. The agency may start condemnation procedures.
  - b. When the court determines the amount of money due, that amount will be paid to the court for your use.
  - c. A 30-day notice to vacate will be issued to you.
  - d. A replacement property will need to be located. We can assist you in finding a suitable replacement property.
  - e. You will close on your replacement property and then move.
  - f. Final relocation payments that you are eligible to receive will be paid to you.

## **If You are a Tenant:**

1. A relocation study will be completed.
2. You will be interviewed by the relocation agent.
3. The acquiring agency will appraise the property.
4. The appraisal will be reviewed.
5. The acquisition offer will be made to the property owner.
6. A relocation offer will be made to you, and you will be given a 90-day vacating notice. A subsequent 30-day notice will be issued when the property is acquired. Until the expiration of the 30-day notice, you are responsible for paying your rent to your landlord.
7. Locate your desired replacement property and make arrangements to move, we can assist you in finding a suitable replacement.
8. Move to the replacement.
9. Final relocation payments will be made.

## **Acquiring Agency**

The acquiring Agency could be the ODOT or any political subdivision of the State of Oklahoma having the authority to acquire private property for public use. The relocation program for the ODOT is administered by the Right-of-Way & Utilities Division.

## **Displaced Person**

Any individual, family, business, farm, or nonprofit organization that moves from real property or moves his or her personal property from real property as a direct result of a written notice of intent to acquire, the negotiations for, or the acquisition of such real property.

## **Family**

Family is described as two or more individuals living together in a single-family dwelling unit, either related or by mutual consent.

## **Business**

Any lawful activity, except a farm operation, conducted primarily for the purchase, sale, lease and/or rental of personal and/or real property; and/or for the manufacture, processing, or marketing of products, commodities; or for the sale of services to the public; or for an outdoor advertising display when forced to move.

## **Small Business**

A small business is described as a business not having more than 500 employees working at the site that is acquired by the ODOT.



## **Farm**

The term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

## **Nonprofit Organization**

A "business" that is licensed and/or registered, when required by local or federal authority, for operation on a not-for-profit basis.

## **Initiation of Negotiations**

This term means the date the ODOT makes the first personal contact with the owner of the real property to give the owner a written offer for the purchase of that property to be acquired.

Any individual, family, business, farm, or nonprofit organization displaced by a 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 the ODOT. It is their goal and desire to be of service to you, and assist in any way possible to help you successfully relocate.

Your relocation agent will provide you with assistance sufficient to meet your needs. You will be assisted in completing application and claim forms for payments. If you are a residential displaced person, all relevant financial information concerning replacement housing will be explained. Every displaced person will be offered assistance in order to minimize hardships encountered in searching for and locating a replacement property. This includes transportation to inspect replacement property, which we have referred to you, if you need it.

If you have a special problem, your relocation agent will make every effort to secure the services of other public and private agencies in your community which are equipped to help you. So, please, make your needs known to your agent. If the agent cannot personally help you with a specific problem, perhaps he or she can find someone who can help.

No one will be required to move from their existing dwelling for at least 90 days after a decent, safe, and sanitary replacement dwelling has been made available to them. If decent, safe, and sanitary housing is not available, the ODOT will take whatever steps are necessary to provide housing through their last resort housing methods.

Remember, your relocation agent is there to help and advise you; so make full use of his or her services. Don't hesitate to ask questions, and be sure you understand fully all of your rights and relocation benefits.



To insure qualification of your maximum eligible benefits **DO NOT** move until you have contacted your relocation agent or are given an official notice to vacate the premises.

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**The following benefits are provided only for those persons required to vacate their permanent place of residence.**

# RESIDENTIAL MOVING PAYMENTS FOR INDIVIDUALS AND FAMILIES

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Residential moving options are as follows or a combination of such:

## **Commercial Move** (Actual and Reasonable Cost)

1. You hire the mover
2. You pay the bills
3. We reimburse you (receipts required)

## **Move Yourself** (Fixed Rate Residential Moving Cost Schedule)

1. Amount is based on number of rooms
2. No receipts required

## **Move Yourself on an Actual Cost Move** (Supported by Receipted Bills for Labor and Equipment)

1. Hourly labor rates should not exceed the cost **paid** by a commercial mover.
2. Equipment rental fees should be based on the **actual cost** of renting the equipment but not exceed the cost **paid** by a commercial mover.

Displaced individuals and families may choose to be paid on the basis of **documented** actual, reasonable moving costs and related expenses based on a commercial move **or** according to the fixed rate moving cost schedule and/or actual cost move supported by receipted bills for labor and equipment. However, to assure your eligibility and prompt payment of moving expenses you should contact your relocation agent from the **ODOT** before you move.

## **Commercial Move (Actual and Reasonable Cost)**

Actual reasonable moving expenses may be paid when the move is performed by a commercial mover. Also, certain other expenses may be reimbursable if the ODOT determines those costs are necessary, such as transportation costs to the new location, temporary quarters, storage of personal property, insurance costs while personal property is in storage or transit, reconnection of utilities, and other related costs. Your expenses must be reasonable and supported by paid receipts. Reimbursement is also limited to a 50-mile moving distance in most cases. Before choosing this option, you must submit at least two competitive bids from qualified movers.

## Fixed Rate Residential Moving Cost Schedule

You may choose to be paid based on the fixed rate residential moving cost schedule. The moving cost schedule is designed to provide adequate reimbursement for your moving expenses including moving your personal property, reconnection, or transfer of utilities and other related expenses. The amount of the payment is based on the number of rooms of furniture in your dwelling. If you choose this option, your expenses **do not** need to be supported by paid receipts.

### Effective August 24, 2015

Persons moving from a rooming or dormitory type situation, and who have a minimal amount of personal possessions, will be limited to a total moving payment of \$100.

<b>Residential Moving Cost Schedule</b>								
Occupant owns furniture								
Number of Rooms of furniture								Each Additional Room
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	
\$750	\$950	\$1,150	\$1,350	\$1,550	\$1,750	\$1,900	\$2,050	\$200
<b>Occupant does not own furniture</b>								
First Room				Each additional room				
\$350				\$100				

You may choose the commercial move (receipts required) and/or fixed rate residential moving cost schedule (based on room count, no receipts required) and/or the actual cost move (supported by receipted bills for labor and equipment rental). One or a combination of these methods may cover your residential moving requirements. A combination may be desirable when special handling and packing is required on part of the move.

# Replacement Housing Payments

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Replacement housing payments are to compensate the displaced person for increases in housing costs caused by acquisition of their dwelling.

These payments represent the difference between the value of your present dwelling and the value of a comparable decent, safe, and sanitary dwelling chosen by the ODOT.

Replacement housing payments can be better understood if you become familiar with the definitions of the following terms: "comparable" and "decent, safe and sanitary" (DSS). These terms are explained on the following pages.

An important thing to remember is that the replacement dwelling you select must meet the basic, "decent, safe, and sanitary" standards. **Do not execute a sales contract or a lease agreement until a representative from the ODOT has inspected and certified that the dwelling you propose to purchase or rent does meet the basic standards.**



## Comparable Replacement Dwelling

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A comparable replacement dwelling is one, which is decent, safe, and sanitary, and should be functionally similar to your present dwelling, meaning it performs the same function, and provides the same utility. While not necessarily identical to your present dwelling, the replacement should have certain features. It must be similar regarding area of living space, construction, and condition; generally not be less desirable than your present location with respect to public utilities, commercial and public facilities. It must be located in an area with comparable public utilities, public and commercial facilities. It must be reasonably accessible to your place of employment and adequate to accommodate your needs. It must be located in an equal or better neighborhood and within your financial means. A comparable replacement dwelling must also be available on the open market and be fair housing, open to all persons regardless of race, color, or national origin.

Present  
Dwelling



and

Replacement  
Dwelling

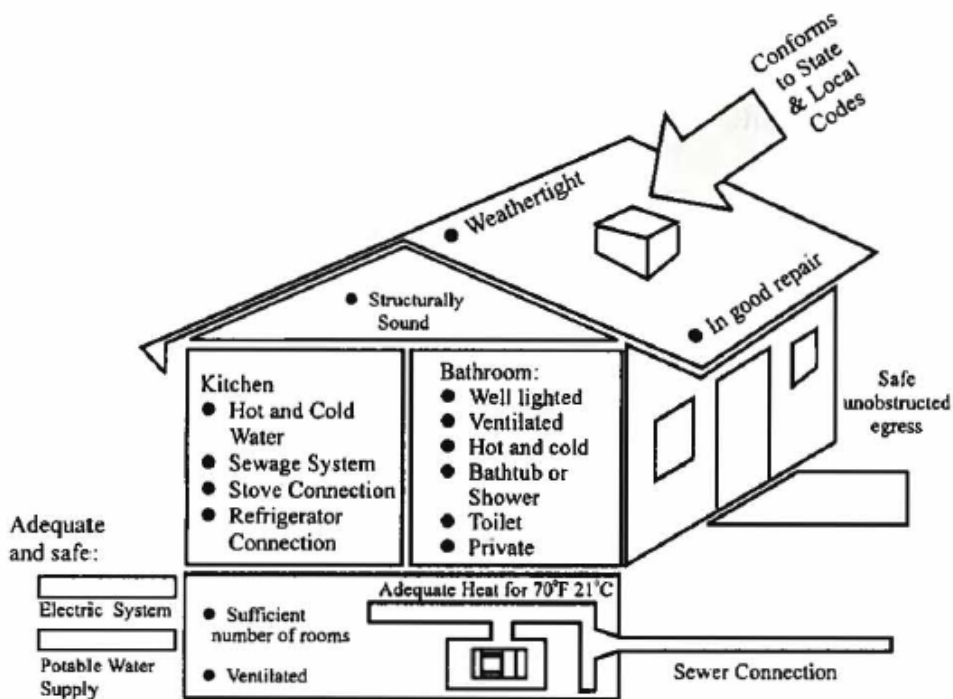


↑ are functionally similar ↑

- Living Space
- Location
- Condition

# Decent, Safe, and Sanitary

Replacement housing must be decent, safe, and sanitary, which means it meets all of the minimum requirements established by the local housing codes and ordinances for existing structures.



# Replacement Housing Payments

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There are three basic types of replacement housing payments:

1. Price Differential Payment
2. Rental Assistance Payment
3. Down Payment Assistance Payment

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

## **Replacement Housing Payment for Owner Occupants of at least 90 days or more**

If you are an owner and have occupied your home for at least 90 days immediately prior to the initiation of negotiations for the acquisition of your property, you may be eligible, in addition to the fair market value of your property, for a replacement housing payment not to exceed \$31,000 for costs necessary to purchase a comparable DSS replacement dwelling. The ODOT will compute the maximum payment you are eligible to receive.

To qualify for this supplemental payment you must purchase and occupy a DSS replacement dwelling within one year after the latter of:

1. the date you receive final payment for the acquired dwelling
2. in the case of condemnation, the date the required amount is deposited in the court

# The Computation of a Price Differential Payment is Illustrated in this Example

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Assume that the ODOT purchased your property for \$35,000. After a thorough study of all available decent, safe, and sanitary dwellings on the open market comparable to your dwelling, the ODOT made the determination that a replacement property will cost you \$40,000. The ODOT will pay you a maximum price differential payment of \$5,000 if you, in fact, purchase a replacement property costing \$40,000 or more. (See Ill. 1) If your purchase price exceeds \$40,000, you must pay the difference in excess of \$5,000. For example, if you purchased a replacement property for \$42,000 you would receive a price differential payment of \$5,000 and you would pay the difference of \$2,000. (See Ill. 2) If you purchased a replacement property for \$38,000, you would receive a payment of only \$3,000 based on actual cost. (See Ill. 3) Your payment cannot exceed the actual cost difference or the amount determined by the ODOT, whichever is less.

### Illustration 1

Comparable Replacement Property	\$40,000
Acquisition Price of Your Property	\$35,000
Maximum Price Differential Payment	\$ 5,000

### Illustration 2

Purchase Price of Replacement	\$42,000
Comparable Replacement Property	\$40,000
Acquisition Price of Your Property	\$35,000
Maximum Price Differential Payment	\$ 5,000

### Illustration 3

Purchase Price of Replacement	\$38,000
Comparable Replacement Property	\$40,000
Acquisition Price of Your Property	\$35,000
Maximum Price Differential Payment	\$ 3,000

## **In Addition to the Price Differential Payment ...**

The ODOT will also reimburse you for other eligible costs that may be involved in the purchase of a replacement dwelling. The price differential payment and other incidental costs are payments in addition to the purchase price of the dwelling acquired from you.

### **Incidental Expenses**

You may also be reimbursed for eligible, reasonable closing costs incurred for title search, recording fees, including other fees listed in the example below and certain closing costs normally paid by a purchaser. Prepaid expenses such as real estate taxes and property insurance are not eligible expenses.



It is the intent of the relocation program to compensate the displaced person for actual relocation expenses. However, those reimbursements must be reasonable and ones which do not unfairly enrich the displacee. **Your Relocation Agent will advise you of the conditions which must be met for reimbursement.**

### **Increased Mortgage Interest Cost**

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

This payment, when added to the down payment on the replacement, is designed to reduce a person's replacement mortgage to an amount, which can be amortized at the same monthly payment, for principal and interest, over the remaining term on the old mortgage, or if less, the remaining term on the new mortgage. This procedure is commonly known as a "buy down".

Your payment will be reduced if you actually borrow less than the mortgage balance on the acquired dwelling.

In order to compute the payment, all pertinent information must be available to the agent, such as interest rates, terms, and principal balance on the old and new mortgages, the present monthly principal and interest payment, plus any points required on the new mortgage.

**Please discuss financing of your replacement dwelling with your relocation agent before you secure a new mortgage.**

## **Rental Assistance Payment for Owner Occupants of 90 days and Tenants of 90 days**

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Owner occupants and tenants of 90 days or more may be eligible for a rental assistance payment. To be eligible for this type of payment, tenants and owners must have been in occupancy at least 90 days prior to the initiation of negotiations for the acquisition of the property. This type of payment is a supplement, enabling you to rent a DSS replacement dwelling for three and one-half years or 42 months without additional out-of-pocket rental costs. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a payment not to exceed \$7,200.00.

The maximum payment for which you qualify, if any, will be determined by the ODOT in accordance with established procedures. The rental assistance payment may be disbursed in either a lump sum or installments.

In addition to the occupancy requirements, you must rent and occupy a DSS replacement dwelling within one year after:

1. For a tenant, the date you move from the acquired dwelling.
2. For an owner occupant, the latter of:
  - a. The date you receive final payment for the acquired dwelling
  - b. In the case of condemnation, the date the full amount of just compensation is deposited with the court

## **For a Tenant...**

As an example of how a rental assistance payment is computed, assume that you have been paying \$300 per month rent for the dwelling occupied by you and purchased by the ODOT. After a study of the rental market, the ODOT makes the determination that a replacement rental unit which is DSS and comparable to your present dwelling will rent for \$325 per month. The maximum rent supplement you can receive in this case is \$25 per month for a 42-month period, or \$1,050. If you select a replacement dwelling, which rents for \$350 per month, despite the availability of comparable DSS replacement rental units that rent for \$325 per month, you will still receive only the maximum payment computed by the ODOT, as indicated above. In other words, you must pay the additional \$25 per month out of your own pocket.

If you select a replacement dwelling, which rents for more than your present rent but less than the amount determined by the ODOT, then you will be paid based on the actual cost of the replacement. For example, assume you select a replacement dwelling unit that rents for \$310 per month. Based on actual cost you will be eligible for a payment of \$10 per month for 42 months, or \$420.

The above computation is based on both the dwelling you now occupy and the replacement dwelling having utilities included in the rent.

## **For an Owner Occupant...**

The computation is basically the same, except that a fair market rental amount will need to be established by the ODOT on your dwelling, for comparison with available rental dwellings.



## **Down Payments for Owner Occupants of Less Than 90 Days And Tenants of 90 days**

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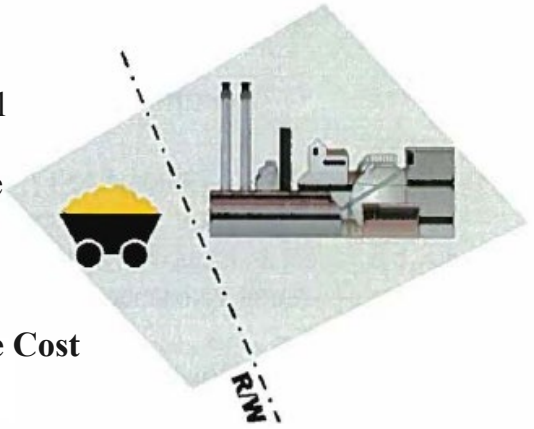
Owner occupants of less than 90 days and tenants of 90 days who purchase a replacement dwelling are entitled to a down payment assistance payment in the amount the person would receive as a rental assistance payment described previously.

The payment to an owner occupant of less than 90 days shall not exceed the amount the owner would receive as a price differential payment described previously.

The full amount of the down payment assistance payment must be applied to the purchase price of the replacement dwelling and related incidental expenses.

Although this may sound complicated, your relocation agent will explain the procedure to you.

This covers situations in which the business or dwelling is not required to move but the personal property situated in the new right of way will be required to move.



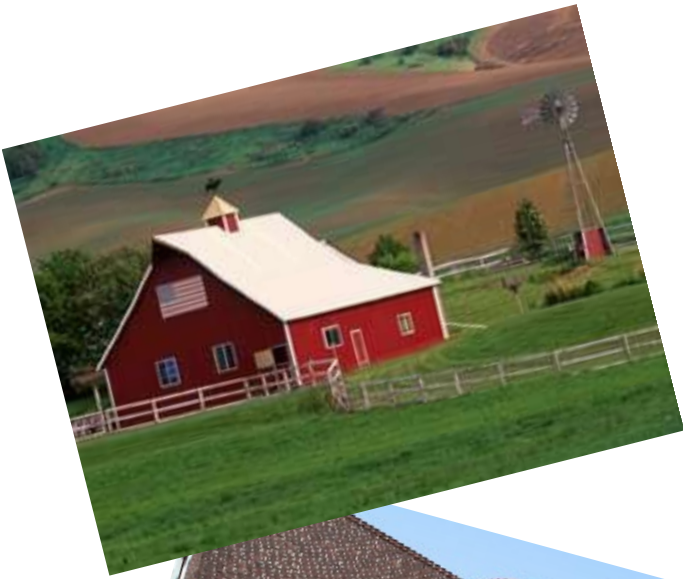
### **Actual and Reasonable Cost Documented Move**

You may be paid the actual reasonable costs of your move provided by the services of a commercial mover. The ODOT may approve a payment not to exceed the lower of two acceptable bids. All of your expenses must be supported by paid receipts in order to assure payment of your moving claim.

### **Self-Move**

If you decide to move yourself and take full responsibility for all or part of the move, the ODOT may approve a payment not to exceed the lower of two acceptable bids or estimates, minus overhead and profit, prepared by qualified moving firms, moving consultants, or a qualified ODOT employee. If you choose this method, no documentation for costs incurred is required.

Whichever moving method you choose you must first provide the ODOT with an inventory of the items to be moved. The relocation agent will verify the inventory and a qualified ODOT employee will make a moving expense estimate, or will secure bids from commercial movers. You will then be offered an amount to move yourself, or you can hire a commercial mover and/or a combination.



These Benefits are provided only for those persons required to vacate their business, farm operation, or non-profit organization. Persons who only have personal property to move are not eligible for in-lieu or reestablishment payments.

# Moving Cost Reimbursement

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## Businesses, Farms and Nonprofit Organizations

Owners or tenants are eligible for payments to reimburse them for their costs to move personal property, time to search for a new location, actual direct loss of tangible personal property, and expenses to reestablish at a new site, or they may be entitled to a fixed payment in lieu of any other relocation benefits. This payment is between \$1,000 and \$40,000 based on the net earnings of the business or farm.

Not all businesses, farms, or non-profit organizations qualify for all payments. A relocation study will determine the extent of your eligibility.



Some moving related expenses eligible for reimbursement are transportation costs, packing, unpacking, disconnect and reconnect utilities and equipment, insurance, unused portions of licenses, soil testing, impact fees, one time assessments, permits, costs of obsolete signs, stationery, and temporary storage costs if necessary (must have prior approval). Other expenses may also be reimbursable where the ODOT determines that such costs are necessary to the normal moving process for your situation.

# Two Ways to Move Your Enterprise

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## **Actual and Reasonable Cost Documented Move**

You may be paid the actual reasonable costs of your move provided by the services of a commercial mover. The ODOT may approve a payment not to exceed the lower of two acceptable bids. All of your expenses must be supported by paid receipts in order to assure payment of your moving claim.

## **Self-Move**

If you decide to move yourself and take full responsibility for all or part of the move, the ODOT may approve a payment not to exceed the lower of two acceptable bids or estimates, minus overhead and profit, prepared by qualified moving firms, moving consultants, or a qualified ODOT employee. If you choose this method, no documentation for costs incurred is required.

Whichever moving method you choose you must first provide the ODOT with an inventory of the items to be moved. The relocation agent will verify the inventory and a qualified ODOT employee will make a moving expense estimate, or will secure bids from commercial movers. You will then be offered an amount to move yourself, or you can hire a commercial mover, and/or a combination.

**You must give your relocation agent advance notice of the start of your move so that the move can be monitored, if needed.**



Displaced businesses, farm operations, and non-profit organizations may be entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals, and lodging when away from home, the reasonable value of the time spent by the owner or representative to obtain permits, attend hearings, and negotiate the purchase or lease of a new site. Fees paid to real estate agents, brokers, or consultants and other expenses determined to be reasonable and necessary by the ODOT. You must provide a reasonable, verifiable diary of your search expenses incurred based on a reasonable hourly rate and proof of expenses, requiring paid receipts.

A business, farm operation, or non-profit organization may decide not to move certain items of personal property, or to discontinue the operation. If so, this payment is designated to compensate for some of that loss. There are two situations and methods of computing your payment.

### **Actual Direct Loss of Tangible Personal Property**

***Actual Direct Loss of Tangible Personal Property*** is incurred as a result of moving or discontinuing the business, farm operation, or non-profit organization. This payment is intended to be used for either going out of business or electing not to move a particular piece of equipment. The estimated cost to move and reconnect an item “as is” at the replacement site will not include upgrades for code requirements. The payment will be the ***lesser*** of, the fair market value of the item (in place as is value for continued use), less the proceeds from its sale **or** the estimated cost of moving the item(s) (as is) a distance of 50 miles, but does not include any allowance for storage; or for reconnecting the piece of equipment if the equipment is in storage or not being used at the acquired site. Note: When payment for property loss is claimed for ***goods held for sale***, the market value shall be ***based on the cost of goods to the business***, not the potential selling price.

To be eligible for payment, the claimant must make a good faith effort to sell the personal property, unless the ODOT determines that such effort is not necessary.

### **Substitute Personal Property**

***Purchase of Substitute Personal Property*** – If an item of personal property, which is used as part of a business, farm operation, or non-profit organization is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, the displaced person may be eligible to receive a payment of the ***lesser*** of: The cost of the substitute item, including installation cost at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; **or** the estimated cost of moving the item a distance of 50 miles and reinstalling the replaced item but with no allowance for storage.

To be eligible for payment, the claimant must make a good faith effort to sell the personal property, unless the ODOT determines that such effort is not necessary.

## Reestablishment Expenses

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In addition to the previous benefits a small business, farm, or non-profit organization may be eligible for reimbursement of expenses actually incurred in relocating and reestablishing at a replacement site. Expenses must be eligible, reasonable, and necessary, as determined by the ODOT and documented. Some of these expenses may include, but are not limited to:

1. Repairs to the replacement real property, as required by law or code.
2. Modifications to the property to adapt it to the business's needs.
3. Construction and installation costs for exterior signing to advertise the business.
4. Necessary redecoration or replacement of worn surfaces, such as paint or carpeting.
5. Advertisement of new replacement location.
6. Estimated increased costs of operation during the first two years at the new site, for such items as:
  - a. lease or rental charges
  - b. personal or real property taxes
  - c. insurance premiums
  - d. increased utility charges, excluding impact fees.



## Ineligible Expenses

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The following is a non-exclusive list of reestablishment expenses not eligible for reimbursement.

1. Purchase of capital assets, such as office furniture, machinery, or trade fixtures.
2. Purchase of materials, supplies, or other items used in the course of normal operations.
3. Interest on money borrowed to make the move or purchase the replacement site.
4. Payment to a part-time business in the home which does not contribute a substantial income.

## Fixed Payment

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Displaced businesses, farms, and non-profit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, actual direct loss of tangible personal property, sign relocation, and searching expenses. Such payment may not be less than \$1,000 nor more than \$40,000.

For the owner of a business to be eligible for this payment, the ODOT must determine that:

1. The business owns or rents personal property to be moved;
2. The business cannot be relocated without a substantial loss of its existing patronage (income).
3. The business contributes materially to the owner's income.
4. The displaced business is not part of an enterprise having at least three other similar entities not being acquired.
5. The business is not solely for the purpose of renting real property to others.

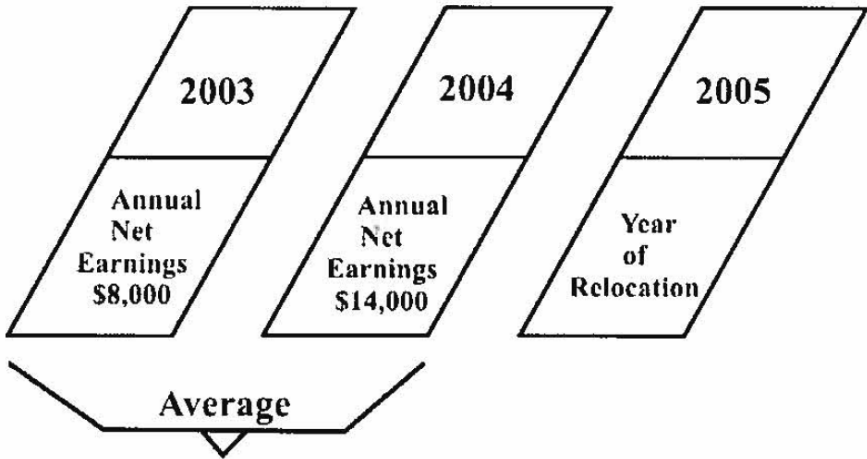
For the owner of a farm operation to be eligible for this payment, the ODOT must determine that:

1. The operation contributes materially to the operator's income.
2. The acquisition of part of the land causes the operator to be displaced from the remaining land.
3. The partial acquisition causes a substantial change in the nature of the farm operation.

A non-profit organization is eligible for this payment when it cannot be relocated without a substantial loss of its membership or clientele.

## The Computation of a Fixed Payment...

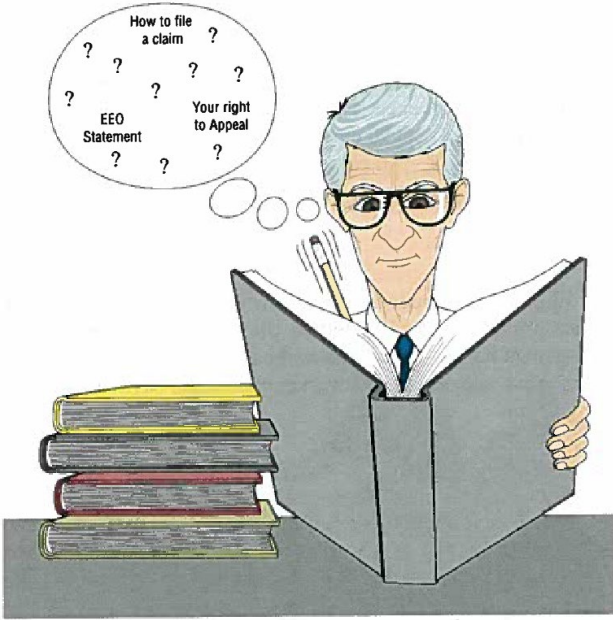
For a business or farm operation, the fixed payment is based upon the average annual net earnings for two taxable years immediately preceding the taxable year during which the enterprise is relocated. You must provide tax information to the ODOT to support your net earnings. Net earnings include compensation paid to the owner, the owner's spouse, or dependents by the displaced business.



**\$11,000 = Fixed payment also called IN LIEU payment**

For a non-profit organization, any payment above \$1,000 is based on the average annual gross revenues minus administrative expenses supported with financial statements. If a business, farm operation, or non-profit organization has been active for less than two years, the net earnings for the actual period will be projected to an annual rate.

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## **Last Resort Housing**

Last resort housing is designed to assist displaced persons whose housing supplement exceeds the monetary limits or have been in occupancy for less than 90 days, who cannot otherwise be offered comparable housing. All cases will be handled on an individual basis.

## **Mobile Homes**

Eligible displaced occupants (owners or tenants) of mobile homes are generally entitled to the same type moving and replacement housing payments as the occupant of a conventional home. Your relocation agent will explain these payments as they apply to you.

## **Payments Not Taxable**

No relocation payment received shall be considered as income for the purpose of the Internal Revenue Code of 1986 (Title 26 US Code) or the state tax laws. These payments are not income for determining the eligibility of any person for assistance under the Social Security Act or any other federal law, except for any federal law providing low-income housing assistance.

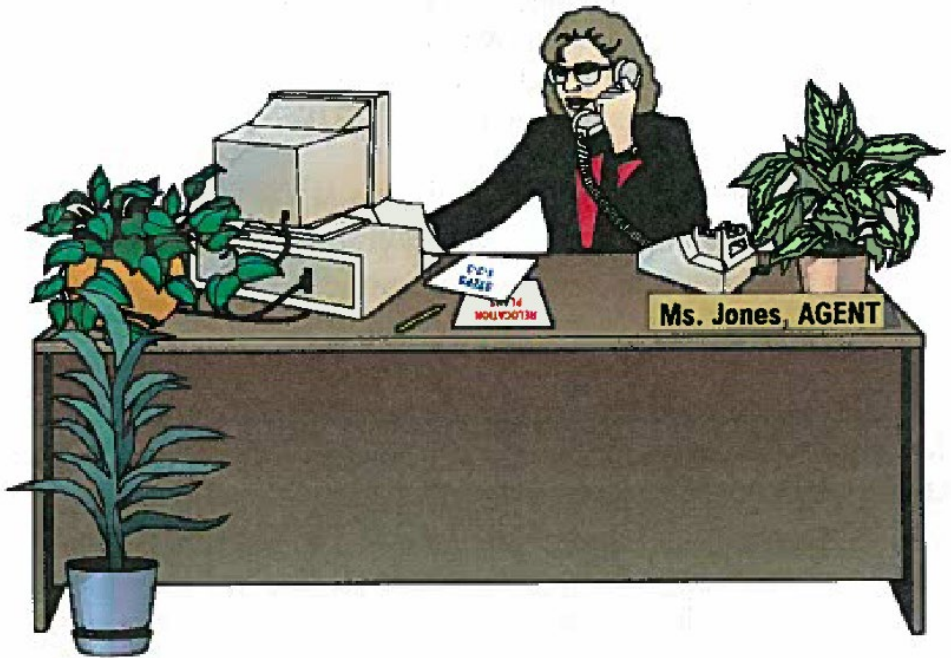
## **Owner Retains Dwelling**

If you are allowed to retain your present dwelling or purchase another dwelling and move it to a new location, the price differential payment, if any, will be the amount by which the cost to relocate the retained dwelling exceeds the acquisition price of the dwelling. This payment may not exceed the computed price differential payment based on the purchase of an available, comparable DSS dwelling.

## How to File a Claim

Your relocation agent will help you file your claim and advise you what documentation is required for the particular type of relocation payment you are claiming.

**Remember your relocation agent's job is to help you, therefore, it is important that you keep in touch with your agent and get approval before taking any action related to your move.**



## Your Right to Appeal

If you have been refused a relocation payment or if you believe the payment offered is not adequate to relocate, you may appeal.



To file an appeal you must write a letter to:

Chairman, Appeals Board  
Oklahoma Department of Transportation  
Right-of-Way Division  
200 N.E. 21st Street  
Oklahoma City, OK 73105

Your relocation agent will assist you in preparing your appeal letter if you so desire. When your letter is received, the Board will provide you with information on how to proceed. You may bring a representative with you.

You will be given an opportunity to present the reasons for your dissatisfaction, then your case will be reviewed by the Board and you will be notified of the decision.

You must file your appeal within 60 days of the date the ODOT assumes legal possession of the property from which you are being displaced.

This appeal procedure is provided in relation to relocation benefits only. If you are not satisfied with the fair market value offer to buy your property, see your Right-of-Way acquisition agent about your right to a court proceeding. The "fair market value offer" to Buy is a separate offer from your relocation benefits and is not subject to review by the Appeals Board.



# EQUAL OPPORTUNITY STATEMENT

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The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, and contractors.

The ODOT has incorporated this policy into all levels of the transportation planning process to assure that proper consideration is given to the social, economic, and environmental effects of highway projects.

The ODOT will not discriminate in the selection and retention of consultants and contractors whose services are retained or are incidental to the planning and construction of transportation projects.

The ODOT will not locate, design, or construct a transportation project, which restricts reasonable access or use to any person on the basis of race, color, or national origin.

Title VIII of the Civil Rights Act of 1968 provides, within constitutional limitations, for fair housing throughout the United States. Any person who believes that he or she has been discriminated against may file a complaint with the Secretary of the Department of Housing and Urban Development or any other agency having the authority to investigate the complaint.

Any person or group of people who believe that they have been discriminated against by the ODOT in the conduct of transportation project activities may file a complaint with the Title VI coordinator.

The complaint must be filed in person or writing within 180 days of the alleged discriminatory action. The complaint will be investigated by the staff of Oklahoma Department of Transportation's Equal Opportunity Section in accordance with Title 49, CFR, Part 21 of the Department of Transportation Regulations for the Implementation of Title VI of the Civil Rights Act of 1964.

Please contact the Chief of the Equal Opportunity Section of the Oklahoma Department of Transportation, if you have any complaints.

**Contact: Title VI Coordinator**

Civil Rights Division

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Oklahoma Department of Transportation

200 N. E. 21st Street

Oklahoma City, OK 73105

Phone: 405-521-2072

