



REVISED

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

## **East San Fernando Valley Corridor Project**

### **Relocation Assistance Plan**

**Per federal rule  
49 CFR 24.205**

September 2023

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## EXECUTIVE SUMMARY

Los Angeles County has been served by public transit since 1873. During this time, at least 220 private and public companies have operated transit systems that have included horse cars, cable cars, incline railways, steam trains, electric streetcars, interurban cars, trolley buses and gas, Clean Natural Gas (“CNG”) or diesel-powered buses. From 1873, systems including horse cars operated by The Spring and West 6th Street Railroad and the Pacific Electric Railway Company (Red Cars) were part of transit history leading to the present-day network of busses, light rail and a subway system that is currently the responsibility of Los Angeles County Metropolitan Transportation Authority (“LACMTA”).

LACMTA has completed preparation of the Final Environmental Impact Statement / Environmental Impact Report (FEIS/FEIR) for the East San Fernando Valley Transit Corridor Project. In response to comments received on the Draft EIS/EIR (DEIS/DEIR), on June 28, 2018 the LACMTA Board of Directors formally identified a modified version of Alternative 4 (identified as “Alternative 4 Modified: At-Grade LRT” in the FEIS/FEIR) as the Locally Preferred Alternative (LPA or Alignment). The Project will ultimately provide a 9.2-mile Light Rail Transit system to connect from the Van Nuys LACMTA G Line (Orange Line) Station in the community of Van Nuys to the Sylmar/San Fernando Metrolink Station in the City of San Fernando, shown in Figure ES-1 below, thus providing commuters with significantly more options when navigating Los Angeles County. Daily boarding’s are anticipated to exceed 30,000 by the year 2040.

The LACMTA intends to phase the Project and construct the 6.7-mile segment along Van Nuys Boulevard as an Initial Operating Segment (IOS). The IOS has been included in the FEIS/FEIR to enable LACMTA to realize potential cost savings, which would not otherwise occur under the LPA. The LACMTA Board of Directors certified the FEIR on December 3, 2020 and adopted the Project definition. The IOS will extend 6.7 miles down the center of Van Nuys Boulevard from Van Nuys LACMTA G Line (Orange Line) Station in the community of Van Nuys on the south, north to the intersection of Van Nuys Boulevard and San Fernando Road which will be the location of the proposed terminus station of the IOS in the community of Pacoima.

The LACMTA Board further authorized the Chief Executive Officer to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse. The Board also adopted the Finding of Fact and Statement of Overriding Considerations in accordance with the California Environmental Quality Act (CEQA) and the Mitigation Monitoring and Reporting Plan.

The Federal Transit Administration (FTA) issued a Record of Decision (ROD) on January 21, 2021, certifying the requirements of the National Environmental Policy Act (NEPA). It is anticipated that construction of the Initial Operating Segment (IOS) will begin in late 2023 or early 2024 and take approximately 60 months.

LACMTA will need to acquire or secure use of some private property in order to build and operate the proposed alignment. In some cases the property will be acquired on a permanent basis. In other cases, LACMTA will only need the property temporarily. Property will be required for primarily four purposes:

- Construction staging
- Maintenance & Service Facility (MSF)
- Traction Power Substation (TPSS)
- MSF connection route

**Figure ES-1: Proposed LPA Alignment and Stations**


The Project will require the acquisition of privately held properties. Because this Project is publicly funded, LACMTA will provide relocation assistance to persons and businesses displaced in compliance with all applicable federal, state and local laws, regulations, rules and policies (Rules).

The Rules require that LACMTA complete relocation planning, outlining how it is planning to assist persons and businesses that may be impacted by the acquisition of real property within the project area. This specific planning document is prepared to comply with federal requirements, as stated in 49 CFR 24.205.

This document describes the method of implementing relocation procedures for the fair, equitable, and consistent treatment of persons displaced from their homes and businesses when displacement occurs due to Project. It identifies the administrative requirements for conducting relocation and sets forth relocation standards, occupancy standards, methods for obtaining comparable replacement housing, relocation assistance

available to residential and non-residential eligible displaced persons, payments available and other related provisions of the relocation assistance program.

This document (“Plan”) identifies the currently anticipated displacement impact resulting from the acquisition of required real property interests for Project and outlines LACMTA’s Relocation Assistance Program (“Relocation Program”) to be implemented in order to mitigate the impacts of displacement on the persons who will have to vacate the properties acquired for the Project or move their personal property as a result of the acquisition.

This document provides a snapshot of the existing conditions at the occupied properties, such as types and numbers of occupants that can be expected to be displaced. If changes in occupancy occur, such as additional occupants at properties currently vacant, such changes will be promptly reviewed and documented to determine the reason for moving in or out of the property in order to make timely determinations of eligibility for relocation assistance under the Relocation Program.

Fifty-three (53) parcels were identified as requiring relocation of the occupants. Based on the review of parcel data and recently conducted site survey, three (3) residential displacements are anticipated from Single Family Residences (SFR). It is anticipated that the Project will result in 80 non-residential displacements, which will require relocation assistance.

Presently, the types of potentially impacted businesses include the following: Weight Loss Clinic, Automotive Repair, Auto sales, Restaurants, Specialized Retail Store (paints), Marble & Granite Sales, Check Cashing, Law Office, Retail/Veterinarian, Retail/Restaurant, Restaurant & Nightclub (El Paseo), Adult Entertainment, Recycling center, and Parking lots.

LACMTA staff has developed a preliminary estimate of the anticipated relocation costs ~~was developed~~ based on ~~staff’s~~ their experience with similar relocation cases, and information gathered from secondary sources.

LACMTA will provide relocation assistance at a minimum as described in this Plan. Relocation payments will be made pursuant to URA.

This preliminary analysis is based upon LACMTA’s current understanding of the affected business operations. The cost to acquire real property, improvements pertaining to realty, fixtures and equipment and the cost associated with potential loss of business goodwill are not included in this analysis. A 30% contingency was added to account for any unforeseen circumstances and is common practice. These estimated costs are shown in Table ES-2, below. These estimated relocation costs will be updated as actual claims are filed. As of September 1, 2023, no relocation claims have been filed.

**Table ES-2: Estimated Relocation Costs**

Type	Total	30% Contingency	Grand Total
Non – Residential Costs	\$28,467,250	\$8,540,175	\$37,007,425
Residential Costs	\$175,000	\$52,500	<del>\$147,000</del> <u>\$227,500</u>
<b>Combined Costs</b>	<b>\$28,642,250</b>	<b>\$8,592,675</b>	<b>\$37,234,925</b>

## 1.0 PROJECT DESCRIPTION

### 1.1 Project Description

The Project's LPA, East San Fernando Transit Corridor Alignment Full Project, consists of a 9.2-mile, at-grade LRT with 14 stations providing connection from the Van Nuys LACMTA G Line (Orange Line) Station in the community of Van Nuys on the south to the Sylmar/San Fernando Metrolink Station in the City of San Fernando on the north. The LRT would be powered by electrified overhead lines. In addition to the 14 new passenger stations, the Project also includes 14 TPSS sites and a Maintenance and Storage Facility (MSF). The MSF will be constructed on the west side of Van Nuys Boulevard on approximately 21 acres, and is bounded by Keswick Street on the south, Raymer Street on the east and north, and the Pacoima Wash on the west. In order to connect the main line alignment to the MSF site, the guideway will curve west off of Van Nuys Boulevard along Keswick Street. The MSF connection will require acquisition of real property.

To ensure the objectives of the Project are met in a timely manner and to avoid delays due to the timing of funding availability, LACMTA proposes constructing the LPA in two phases: an Initial Operating Segment (IOS) or Phase 1, which consists of the 6.7-miles of the LPA alignment along Van Nuys Boulevard; and Phase 2, which includes the northern 2.5-mile segment of the LPA along the LACMTA-owned railroad right-of-way.

Phase 2 of the Project will extend the alignment 2.5 miles from the proposed terminus station at the intersection of Van Nuys Boulevard and San Fernando Road northwest to Sylmar/San Fernando Metrolink Station. This portion of the alignment will travel along the LACMTA-owned right-of-way that is currently being utilized by the Antelope Valley Metrolink line and Union Pacific Railroad. Additional details regarding the Project characteristics, components, and facilities are discussed further within the Description of the Project section of the ROD. The Project will be delivered in two phases.

### 1.2 Projected Dates of Displacement

Many factors affect dates of displacements in a project of this size. Based on the current projections for the Project, displacements are projected to occur on a phased basis for early acquisitions beginning in LACMTA's fiscal year 2023 and continuing through 2026. Every effort will be made to keep the community at large aware of project deadlines. In addition, all persons displaced by the Project will receive written notice of the Project, their eligibility for relocation benefits and a minimum of 90 Days written notice to vacate.

### 1.3 Project Funding

The following funding sources will be used for the Project:

- Federal Sources:
  - Congestion Management and Air Quality (CMAQ) Program;
  - Regional Surface Transportation Program (RSTP); and
  - Other future FTA funding
  
- State Sources:
  - Regional Improvement Program (RIP);
  - Traffic Congestion Relief Program (TCRP); and
  - Cap-and-Trade Program;

- Local Sources:
  - Measure R Sales Tax;
  - Local Agency Funds;
  - Proposition A sales Tax;
  - Proposition C Sales Tax; and
  - Measure R Sales Tax.

## 2.0 RELOCATION PLAN OVERVIEW

This portion of the Plan summarizes LACMTA’s relocation program for the Project. This summary has been provided for general information purposes only and should not be interpreted as law. Should this summary contain any information inconsistent with the laws governing relocation assistance, the laws will take precedence. LACMTA’s relocation program will be in compliance with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (“URA”), as amended including the changes made by Public Law 112-141 dated July 6, 2012 titled Moving Ahead for Progress in the 21st Century Act (“MAP-21”), URA amendments as made in MAP-21 Section 1521 became effective on October 1, 2014; and the Relocation Policies and Procedures of METRO.

LACMTA’s Relocation Program establishes a policy for fair, equitable, and consistent treatment of persons displaced as a direct result of programs and projects undertaken with Federal financial assistance. The primary purpose of the relocation program is to ensure that the displaced persons shall not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole and to minimize the hardship of displacement. LACMTA’s Director of Real Property Management and Development will be responsible for managing the plan.

In September 2022, LACMTA released a right of way services contract to Monument, a right of way services firm on the LACMTA bench of contractors. Resumes for Monument staff members working on this project can be found in Appendix P. Also in Appendix P is an organizational chart showing a description of the roles and responsibilities for their Acquisition and Relocation agents. An updated analysis of relocation information gained from displacee interviews as of September 1, 2023 is contained in Section 7.3.

LACMTA’s Relocation Assistance brochure is contained in Appendix H. Additional forms and guidelines governing the relocation program are also included as appendices.

### 2.1 Important Terms and Definitions

The following section describes terms used to facilitate the relocation program for the Project and are used throughout this Plan:

**Alien Not Lawfully Present:** Under federal law, an alien not lawfully present in the United States is not eligible for relocation assistance. As defined by federal law, an alien not lawfully present in the United States includes (1) an alien present in the United States who has not been admitted or paroled in the United States pursuant to the Immigration and Nationality Act and whose stay in the United States has not been authorized by the U.S. Attorney General; or (2) an alien who is present in the United States after the expiration of the period of stay authorized by the U.S. Attorney General and who otherwise violates the terms and conditions of admission, parole or authorization to stay in the United States. (8 CFR Section 103.12).

Aliens, not lawfully present in the United States, are not eligible for URA assistance unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent or child. It will be strongly recommended to all displaced persons to consult with their respective Relocation Agents to find out if they qualify under this hardship provision.

**Business:** Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease, and rental of personal or real property; or for the manufacture, processing, or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or an outdoor advertising display or displays, when the display or displays must be moved as a result of acquisition of property for the Project.

**Caltrans:** California Department of Transportation

**Displaced Person; Displacee:** Any lawful person (individual, family, partnership, business, association or corporation) who moves from real property, or moves personal property from real property, as a direct result of LACMTA's written notice of intent to acquire, the initiation of negotiations for, or the acquisition of real property, in whole or in part, for the Project.

**Displacement Site:** Property acquired for Project which must be vacated by an occupant.

**Draft Relocation Plan:** A Relocation Plan that is released to the public for comment and review for a period of 30 days.

**Final Relocation Plan:** A Relocation Plan that has been reviewed by the public as described above with the public comments incorporated. The plan is then sent to the Federal Transit Administration for approval, at this point the Relocation Plan becomes Final.

**Fixtures, Furniture and Equipment (FF&E):** Movable furniture, fixtures or other equipment that have no permanent connection to the structure of a building or utilities.

**General Information Notice (GIN):** A notice to all affected project site occupants informing them of the potential project, funding source (Federal/State), benefits types and most important, advising them not to move out now and to continue paying rent, mortgage, and to abide by all terms of their occupancy agreement, that they will not be required to move without a Notice of Eligibility and a 90 Day Notice to Vacate.

**IOS:** Initial Operating Segment of the Project

**LPA:** Locally Preferred Alternative

**MSF:** Maintenance and Storage Facility

**Nonprofit Organization:** A public or private entity that has established its nonprofit status under applicable federal or state law.

**Notice of Eligibility (NOE):** A written notice provided by LACMTA to owner-and tenant-occupants of real property at the time LACMTA makes an offer to the property owner to purchase the property, describing the types of assistance available to the occupants.

**Notice to Vacate:** A statutorily required written notice provided by LACMTA to occupants of real property that LACMTA plans to acquire or has acquired, informing the occupants that they must move from the property within 90 days.

**Personal Property:** Property that can be moved from real property without damaging the real property or the property moved, including furniture, fixtures and equipment and other movable objects.

**RAMP:** Real Estate Acquisition Management Plan

**Real Property:** All land, structures, firmly attached and integrated equipment (such as light fixtures or a well pump), anything growing on the land, and all "interests" in the property which may be the right to future ownership (remainder), right to occupy for a period of time (tenancy or life estate) the right to drill for oil, the right to get the property back (a reversion) if it is no longer used for its current purpose (such as use for a hospital, school or city hall), use of airspace (condominium) or an easement across another's property. Real property should be thought of as a group of rights like a bundle of sticks which can be divided. It is distinguished from the other type of property, personal property, which is made up of movable items.

**Relocation Advisor:** See *"Relocation Consultant"*

**Relocation Agent:** A member of LACMTA staff or person who is contracted by LACMTA implementing provisions of this Plan. Relocation Agents will be available to work with each occupant to understand the Relocation Assistance Program, provide Program information in writing, provide information on available replacement sites, and provide analyses of compensable monetary assistance under the Program. This term is used interchangeably with the terms **Relocation Advisor** and **Relocation Consultant**. This may be a contractor hired by LACMTA or an employee of LACMTA.

**Relocation Consultant:** See *"Relocation Agent"*

**Rules:** All applicable federal, state and local laws, regulations, and policies.

**SFR:** Single Family Residence

**Small Business:** A business having not more than 500 employees working at a site, which is the location of economic activity and which will be acquired or is displaced by the Project. A site occupied solely by outdoor advertising signs, displays, or devices is not a "small business" for purposes of the reestablishment expense benefit of the URA and its implementing regulations.

**TPSS:** Traction Power Sub Station

**Unlawful Occupant:** A person who occupies without property right, title or payment of rent, or a person legally evicted, with no legal rights to occupy a property under state law. An occupant is considered to be in unlawful occupancy if the occupant has been ordered to move by a court of competent jurisdiction or if the occupant's tenancy has been lawfully terminated by the owner for cause, the tenant has vacated the premises, and the termination was not undertaken for the purpose of evading relocation assistance obligations.

*Other terms in this document which are not listed above are defined in URA; section 49 CFR 24.2(j)(2) and/or Caltrans Right-of-Way manual.*

## 2.2 Statutory Requirements

Real estate acquisition and relocation activities will be conducted in a manner consistent with applicable state and federal laws and procedures. The following specific federal regulations apply to the Project's property acquisition and relocation program:

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), including amendments as per MAP 21.
- 49 CFR Part 24, titled Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally assisted Programs ("URA"), as amended by MAP 21 effective October 12, 2014.
- FTA Circular C 5010.1E dated March 21, 2017; Rev. 2 dated July 16, 2018 titled Award Management Requirements
- Relocation Assistance and Real Property Acquisition Guidelines found in California Code of Regulations, Chapter 6, Subchapter 1 (Guidelines). Guidelines may apply to displacement cases which may not be eligible for federal relocation assistance under Uniform Act but would otherwise be eligible for relocation benefits under California law and regulations.

Under both URA and Guidelines, owners of private property have similar state constitutional guarantees regarding property acquisitions, damages, and just compensation. The intent of these rules is to ensure the consistent and fair treatment of owners and occupants of real property, encourage and expedite acquisition by agreement to avoid litigation and relieve congestion in the courts; and promote confidence in the public land acquisitions.

The URA covers the appraisal and acquisition of real property, relocation assistance services, moving expense payments, replacement housing payments and other allowable expense payments mandated by the Uniform Act. California State law governs property owner rights and the eminent domain process. The LACMTA has developed its own internal policies and procedures that comply with State Law and URA. The California Department of Transportation (Caltrans) Right-Of-Way Manual provides additional interpretation of URA and general guidance to the acquisition and relocation assistance based federal and state law and regulations. Copies of the guiding documents are available in the Real Estate Department's Library.

The other guiding document will include this Relocation Assistance Plan (Plan). The Plan will identify owners and tenants potentially eligible for relocation services and benefits, outline relocation policies and procedures, and survey the availability of replacement housing, if necessary, and business sites.

## 2.3 Eminent Domain

LACMTA will make every effort to acquire properties through voluntary sales. LACMTA is empowered to acquire property through authority conferred by the State of California in Public Utilities Code Section 130051.15. Eminent Domain procedures are set forth in the California Code of Civil Procedures 1230.010, etc. LACMTA conducts all real estate acquisition and relocation activities consistent with applicable state and federal procedures.

## 2.4 Purpose of this Relocation Assistance Plan

This plan is intended to serve as part of the RAMP and comply with the relocation planning requirements stated in FTA Circular 5010.1E (IV) (2)(h) and 49 CFR 24.205. The Plan covers the following:

- Describe the Project, its schedule and financing plan;
- Identify the existing occupants to be displaced as a result of Project;
- Provide planning of advisory assistance services;
- Identify the relocation program's administrative requirements, payments available and other related provisions of relocation practices; and
- Explain the methods of implementing relocation procedures for the fair, equitable, and consistent treatment of persons displaced from their homes and businesses.

## 2.5 Preparation of the Draft Relocation Plan.

LACMTA has hired Monument to update this Relocation Plan prior to displacement activity. In order to update the plan, Monument has personally met with potential displacees and has conducted interviews to determine the needs, preferences and other information related to relocation. The relocation interviews were conducted prior to Initiation of Negotiations (ION) for acquisition of real property rights. Displacees were asked about the business' present operations, replacement site requirements and other potential relocation needs. Appropriate contact was made with displacees to gather relevant information, such as characteristics of the displaced businesses and households, and their relocation requirements. LACMTA relocation assistance agents accompanied the real estate appraisers during the initial and subsequent site inspections.

Where allowed by the displacee, displacement sites were inspected with business owners' permissions and direct observation will be made of business operations and personal property to be relocated, including furniture, fixtures and equipment (FF&E). The information gathered will be used to identify potential obstacles to relocation and develop solutions for successful relocations.

Non-residential tenants who own real property, such as improvements pertaining to realty, separate from the real property owned by the fee owner or other tenants will receive offers to acquire such real property pursuant to *49 CFR 24.105 acquisition of tenant-owned improvements* and applicable state law and regulations.

### 3.0 PRELIMINARY RELOCATION COSTS

The preliminary estimated relocation costs were developed from information gathered from LACMTA staff, appraisals, available property occupant surveys, research of the area’s real estate market, and relocation experience with currently anticipated type of displacements.

LACMTA will provide relocation assistance as described in this Plan. Relocation assistance payments for business occupants will be based upon actual, reasonable, and necessary moving costs, eligible related non-residential expenses (49 CFR 24.303) and eligible reestablishment expenses (49 CFR 24.304) OR Fixed payment in lieu of moving and reestablishment expenses, as per 49 CFR.305.

This preliminary analysis is based upon LACMTA’s current understanding of the affected business operations. The cost to acquire real property, improvements pertaining to realty, fixtures and equipment and the cost associated with potential loss of business goodwill are not included in this analysis. A 30% contingency was added to account for any unforeseen circumstances and is common practice. These estimated costs are shown in Table 3-1, below.

**Table 3-1: Estimated Relocation Costs**

Type	Total	30% Contingency	Grand Total
Non – Residential Costs	\$28,467,250	\$8,540,175	\$37,007,425
Residential Costs	\$175,000	\$52,500	\$227,500
			<u>\$227,500</u>
<b>Combined Costs</b>	<b>\$28,642,250</b>	<b>\$8,592,675</b>	<b>\$37,234,925</b>

LACMTA will not proceed with displacement activities until it has secured the funds for disbursements of relocation assistance payments to eligible occupants. Funds are to be sufficient to provide full relocation assistance in accordance with LACMTA’s Relocation Assistance Program. LACMTA will regularly update its relocation cost estimates as claims come in and these updated figures will be submitted to oversight and funding agencies in order to finalize these figures as much as possible during this project. In addition, the updated cost estimate will break out the costs per parcel as actual claims come in.

#### Concurrent Displacements

At the time of the preparation of this plan, there were no known concurrent potential displacements anticipated to be caused by other agencies for projects in the area.

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## 4.0 RELOCATION IMPACT

This section of the Plan addresses the anticipated impact. As of September 1, 2023, there are currently approximately 80 businesses and off site landlords along with three (3) residences that are anticipated to be displaced by the Project. Because the displacements will happen over an extended period of time, it is possible that the occupants of various properties may change. This document provides a snapshot of the types and numbers of occupants that are currently expected to be displaced as summarized in Table 4-1 below and detailed in Appendices A and Q.

**Table 4-1. Summary of Potential Relocation Cases**

Non-residential cases	80
Residential cases	3
<b>TOTAL Relocation Cases</b>	<b>83</b>

### 4.1 Businesses Impacts

The majority of impacted businesses will be able to relocate within the 90-day timeframe provided by the 90 Day Notice to vacate. However, some tenants will require additional lead time due to the nature of their services as well as for build out once a replacement site has been identified. LACMTA will work with business owners to allow additional lead time in complex and challenging cases as appropriate to mitigate the potential hardship that relocation can entail.

It is anticipated that some businesses will require professional services for advance move planning. LACMTA will work with these displacees as early in the process as possible to allow them the lead time and appropriate professional services. When necessary, relocation activities will begin pursuant to the issuance of a Notice of Intent to Acquire.

Relocation Consultants will work closely with all business owners to keep them apprised of the Project schedule. In addition, Relocation Consultants will provide information on available replacement sites and compensation under LACMTA’s Relocation Assistance Program.

### 4.2 Residential Impacts

Displacement of three households is anticipated. LACMTA is fully prepared to provide the appropriate relocation assistance under LACMTA’s relocation assistance program and URA rules whether the displaced households are owner-occupants or tenants. Information available for residential displacees as of September 1, 2023 can be found in Section 7.3.

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## 5.0 COMMERCIAL REPLACEMENT RESOURCES

LACMTA will assist all eligible occupants with relocation. Commercial resource surveys will be regularly conducted during the displacement activity to identify available commercial sites located within five miles of Project area. Information about suitable replacement sites that are available and ready for occupancy will be provided to the displacees. LACMTA and Monument will engage in an effort to find as many referrals as possible to successfully relocate displaced businesses. Monument will work closely with the displacee to determine the location and type of referrals they need. As indicated in Section 4.1 of this plan, certain business uses may require additional time and support to relocate within the time frames necessary to move the project forward on schedule.

## 6.0 RELOCATION ASSISTANCE PROGRAM

### 6.1 Eligibility for Relocation Assistance

To be eligible for relocation assistance, a displaced person must be lawfully occupying the property to be acquired by LACMTA at the time LACMTA makes a written offer to the property owner to purchase the property. While LACMTA is statutorily required to provide only a 90-day written notice of the day the occupant is required to relocate, LACMTA intends to begin working with each occupant as soon as feasible. Each occupant will be provided with sufficient time to work with Monument to identify and secure a replacement site. LACMTA's goal is for each occupant to understand the assistance that is available under LACMTA's Relocation Assistance Program.

Businesses who occupy the property on the date of LACMTA's first written offer to the property owner will be eligible to receive assistance in accordance with LACMTA's Relocation Assistance Program. In some instances, displacees who have been determined to need an extended period of time to prepare for their relocation may be issued a "Notice of Intent to Acquire" prior to the first written offer. Subsequent to receiving a Notice of Intent to Acquire, a Notice of Eligibility can be issued prior to the first written offer.

Residential occupants eligible for Relocation Assistance will not be required to move from the acquired property prior to receiving a Notice of Eligibility with an offer of at least one comparable replacement dwelling and a 90 days advance written notice (Appendix F). LACMTA will deliver a Notice of Eligibility to eligible residential occupants upon completion of a Replacement housing Study for each displaced household, which determines the maximum replacement housing payment based on comparable replacement housing.

LACMTA will make every effort to assist each displaced person in finding reasonably comparable replacement sites. However, for businesses or nonprofit organizations, federal and state laws do not require LACMTA to guarantee that the business owner will find a replacement site that it finds to be acceptable. Displaced persons ultimately choose their preferred replacement site and their participation in the process is critical to the success of the relocation.

Although an eligible displaced person is not required to move until 90 days after receiving a Notice to Vacate, a displaced person is eligible to receive relocation assistance upon receiving a Notice of Eligibility from METRO. If displaced persons choose to relocate at any time after receiving a Notice of Eligibility, they

will be eligible to receive relocation assistance in accordance with LACMTA's Relocation Program. If displaced persons move before receiving a written Notice of Eligibility, they will not be eligible for, or provided with relocation assistance.

Although LACMTA may provide notice to displaced persons that they are eligible to receive relocation assistance from METRO, while occupying their current location, the displaced persons will continue to have the same rights and responsibilities they otherwise would have under any lease or other agreement related to the property; LACMTA's Notice of Eligibility does not waive those rights and obligations. In some instances, displacees who have been determined to need an extended period of time to prepare for their relocation may be issued a "Notice of Intent to Acquire" prior to the first written offer. Subsequent to receiving a Notice of Intent to Acquire, a Notice of Eligibility can be issued prior to the first written offer.

## 6.2 Relocation Advisory Assistance

LACMTA's Relocation Program provides relocation advisory assistance. LACMTA's Relocation Consultant, Monument, is specialized in providing relocation assistance and will administer LACMTA's Relocation Program. Each displaced person will be assigned a Relocation Advisor. The Relocation Advisor is available to help and to advise the displaced person; therefore, each displaced person should make full use of the available services. Individuals with disabilities will be provided the assistance needed to understand their rights under LACMTA's Relocation Program and assistance to locate and move to a replacement site. A displaced person should notify their assigned Relocation Advisor if additional assistance is needed.

The Relocation Advisor will ensure that the displaced person is fully advised of all relocation assistance and benefits for which he or she is eligible. This applies to both residential and commercial displacements. Advisory services will be provided by the URA in a manner which satisfies the requirements of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights act of 1968 and Executive Order 11063.

Advisory Services to be provided:

- The advisory program will include such measures, facilities, and services as may be necessary or appropriate in order to determine, for nonresidential displacements, the relocation needs and preferences of each business to be displaced and explain the relocation payments and other assistance for which the business may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. This shall include a personal interview with each business. Interviews with displaced business owners and operators will include the following items:
- The business's replacement site requirements, current lease terms and other contractual obligations and the financial capacity of the business to accomplish the move.
- Determination of the need for outside professional services that may be required to assist in planning the move, assistance in the actual move, and in the reinstallation of machinery and/or other personal property.
- For businesses, an identification and resolution of personality/realty issues. Every effort must be made to identify and resolve realty/personality issues prior to, or at the time of, the appraisal of the property.
- An estimate of the time required for the business to vacate the site includes: (1) An estimate of the anticipated difficulty in locating a replacement property and (2) An identification of any advance relocation payments required for the move, and the Agency's legal capacity to provide them.

- Provide, for nonresidential moves, current and continuing information on the availability, purchase prices, and rental costs of suitable commercial properties and locations. Assist any person displaced from a business to obtain and become established in a suitable replacement location.
- Minimize hardships to persons in adjusting to relocation by providing counseling, advice as to other sources of assistance that may be available, and such other help as may be appropriate.
- Supply persons to be displaced with appropriate information concerning disaster loan and other programs administered by the Small Business Administration, and other Federal and State programs offering assistance to displaced persons, and technical help to persons applying for such assistance.

### 6.3 Understanding the Relocation Program

During the initial contact meeting, Monument Relocation Consultants will explain LACMTA's Relocation Program. The consultant will interview the displaced person to understand the business's current operation, facility, and replacement site needs (household characteristics and replacement housing needs, if necessary). The consultant will explain the assistance and payments that the displaced person may claim in accordance with the displaced person's eligibility. It is important that displaced persons explain any anticipated relocation concerns to their Relocation Consultant. During the initial interview, a Relocation Consultant will ask detailed questions to determine specific relocation needs.

After the initial interview, the Relocation Consultant will deliver written information regarding the displaced person's eligibility and rights (Notice of Eligibility), and forward information regarding available replacement sites as it becomes available. The Relocation Consultant will provide information regarding available replacement properties, maps of replacement properties, and transportation, as needed, to inspect replacement properties, especially if the displaced person is elderly or disabled.

### 6.4 Planning and Preparing to Relocate

A Relocation Consultant will continue to work with each displaced person to help plan the relocation to a replacement site. In particular, a Relocation Consultant will explain which costs are and are not compensable under LACMTA's Relocation Program and assist the displaced person with properly filing and documenting claims for reimbursement of relocation expenses.

A Relocation Consultant will also provide information and assistance to minimize hardships in adjusting to the new location, such as assistance completing rental applications or loan documents; information on typical down payments; information on any permits, fees and local planning regulations applicable to the replacement site; information on services provided by others in the community, as well as federal, state, and local programs offering assistance to displaced persons; and consumer education literature. A Relocation Consultant will also help to determine any special need for an outside specialist to help a displaced person plan for the move and if applicable, the reinstallation of personal property. A Relocation Consultant will make every effort to secure the services of those agencies with trained personnel who have the expertise to help a displaced person through special concerns related to the relocation.

In addition, a representative of LACMTA will work with each business owner and the owner of the real property (if the owner is a business) to identify and to resolve any issues regarding what is "real estate" and what is "personal property" that can be relocated. Each business owner may be asked to provide a copy of the business owner's lease agreement (if applicable) to help to determine the ownership of the furniture, fixtures, and equipment (FF&E)

LACMTA's goal is for each displaced person to achieve a successful relocation in the community. It is important that each business owner do everything a prudent business owner would do to maintain the business. All displaced persons should work closely with their Relocation Consultants to evaluate and prepare for the move and search leads to available replacement sites.

**Notice to Vacate:** A statutorily required written notice provided by LACMTA to occupants of real property that LACMTA plans to acquire or has acquired, informing the occupants that they must move from the property within 90 days.

In some instances, an "Informational" 90 Day Notice to Vacate will be issued. This notice is used prior to LACMTA having possession of the property to meet the statutory requirements of a minimum of 90 Days' Notice to vacate. It guarantees a minimum notice of 90 Days but does not specify a specific date by which the property must be vacated. Once LACMTA has possession, the final need date is certain and at least 30 days has passed since the 90 Day Notice has been issued, an optional 60 Day Notice to vacate may be issued setting the exact date by which the property must be vacated.

A statutorily required 30 Day Notice to Vacate is issued to all displacees. It identifies the final date by which the displacee must vacate the property. It is issued either after LACMTA has possession of the property or concurrently to an Order of Possession. These notices described above along with pertinent relocation information can be found in Appendices B through I.

All vacate notices will be issued in such a way to conform to and coincide with the overall project schedule. The relocation milestones and their timing are shown in the critical path schedule that is located in Appendix O. More detailed schedules with estimated acquisition and relocation timeframes for MSF parcels and some TPSS parcels are also included in Appendix O. These schedules are only approximate and not finalized and will be updated as the project progresses.

## **7.0 RELOCATION PAYMENTS**

### **7.1 Relocation Payments for Displaced Businesses**

An eligible business may be reimbursed for the actual, reasonable, and necessary cost of the business or organization's move when the move is performed by a professional or commercial mover or when the business owner elects to self-move. Any moving expenses for which a business is seeking reimbursement must be supported by paid receipts or other evidence of expenses actually incurred.

In addition, in order to meet requirements to offer just compensation to property owners and tenant business owners, an offer to purchase FF&E will be tendered. When relocated, many businesses may be unable to take certain improvements to the realty and / or moveable personal property with them. Reasons vary as to why the item cannot practically be relocated. The item may be destroyed by the move or may be too large or small to fit in the replacement location. An FF&E appraiser will be used to professionally determine the fair market value of these items and, based on this appraisal LACMTA will make an offer to purchase all or a portion of these items. The Relocation Consultant will coordinate with the FF&E appraiser to assure that an accurate determination of personal property versus real property is made.

### 7.1.1 Moving and Related Expenses

**Actual, reasonable and necessary moving expenses may include the following:**

- a) Transportation of personal property up to 50 miles from the site from which the business or nonprofit organization was displaced, except where relocation beyond 50 miles is justified.
- b) Packing, crating, unpacking, and uncrating personal property.
- c) Storage of personal property for a period up to 12 months, as determined by LACMTA to be necessary in connection with relocation.
- d) Insurance for the replacement value of personal property lost, stolen, or damaged while in storage or transit.
- e) Replacement value of property lost, stolen, or damaged (but not through neglect) in the process of moving, where insurance covering such loss, theft, or damage is not reasonably available.
- f) Disconnecting, dismantling, removing, reassembling, and reinstalling personal property, such as machinery, equipment, substitute personal property, and other personal property (including goods and inventory kept for sale) and connection to utilities available within the building.
- g) Modifications to personal property, including those mandated by federal, state or local law, code or ordinance, necessary to adapt the personal property to the replacement structure, replacement site, or the utilities at the replacement site, and modification necessary to adapt the utilities at the replacement site to the personal property.
- h) Any required license, permit, fee, or certification, as necessary, for the reestablishment of the business or organization at a new location. However, payment shall take into account the remaining useful life of any existing license, permit, or certification.
- i) Professional services (including, but not limited to, architects', attorneys', or engineers' fees, or consultants' charges) necessary for planning the move of personal property, moving the personal property, or installing relocated personal property at the replacement site.
- j) Re-lettering signs and replacing stationery on hand at the time of displacement that is made obsolete as a result of the move.

#### **Related Nonresidential Eligible Expenses**

- a) Professional services in connection with the purchase or lease of a replacement site, including feasibility surveys, soil testing, and marketing studies.
- b) Connection to available nearby utilities from the right-of-way to improvements at the replacement site
- c) Impact fees or one-time assessments for anticipated heavy utility usage, as determined necessary by the Agency.

LACMTA will reimburse businesses for moving expenses related to the cost to move personal property from the acquired site to the replacement site. All costs must be actual, reasonable, and necessary to allow the business to reestablish itself at the replacement location.

This is not an inclusive list of moving-related expenses. A Relocation Consultant will provide each business owner with a complete explanation of potentially reimbursable expenses. This list also is not a guarantee of reimbursable moving expenses. Each business owner is advised to work closely with the assigned Relocation Consultant in advance of incurring any costs related to relocation to determine which expenses are likely to be eligible for reimbursement under the Relocation Assistance Program.

It is important that each business owner work closely with their Relocation Consultant so that costs are documented and presented to LACMTA for review and pre-approval whenever possible. LACMTA will exercise its discretion to decide which expenses relating to the businesses' move are eligible for reimbursement.

**Commercial/Professional Move.** A business owner may elect to hire professional or commercial movers to move personal property. LACMTA may reimburse the business owner for the cost, based on the lower of two bids or estimates.

**Self-Move.** If a business owner agrees to take full responsibility for all or part of the move of the operation, rather than hiring a professional or commercial mover, LACMTA may approve a payment not to exceed the lower of two acceptable bids or estimates obtained from qualified moving firms or moving consultants. A low cost or uncomplicated move may be based on a single bid or estimate, at LACMTA's discretion.

Before a business performs a self-move, the following must be provided to a Relocation Consultant: (a) two acceptable bids or estimates from moving professionals; (b) a certified inventory of all personal property to be moved; (c) the date the business intends to move; (d) the address of the replacement property; and (e) the opportunity to monitor and inspect the move.

**Direct Loss of Tangible Personal Property.** Displaced businesses may be eligible for a payment for the actual direct loss of tangible personal property, which is incurred as a result of the move or discontinuance of the operation. This payment may be based on the lesser of (a) the value of the item for continued use at the displacement site less the proceeds from its sale, or (b) the estimated reasonable cost of moving the item. A Relocation Consultant will explain this procedure in detail if this is a consideration.

**Substitute Personal Property.** Where an item of personal property, which is used in connection with an operation, is not moved but is replaced with a comparable item, the business may request reimbursement in an amount not to exceed the lesser of (a) the replacement cost, minus any net proceeds from its sale, or (b) the estimated cost of moving the original item.

**Low Value High Bulk Property.** If LACMTA considers a personal property item to be of low value and high bulk (such as minerals, metals, rock, or topsoil), and moving costs are disproportionate to its value, the allowable moving cost payment shall not exceed the lesser of the amount which would be received if the personal property were sold at the site, or the replacement cost of a comparable quantity delivered to the new business location.

### 7.1.2 Searching Expenses for Replacement Site

Displaced businesses are entitled to reimbursement for actual, reasonable, and necessary expenses incurred in searching for a replacement property, not to exceed \$2,500. Such expenses may include transportation, meals and lodging when away from home, the reasonable value of the time spent during the search, fees paid to real estate consultants or brokers to locate a replacement site, the reasonable value of time obtaining permits and attending zoning hearings, and the reasonable value of time spent negotiating the purchase of a replacement site.

### 7.1.3 Business Reestablishment Expenses

A small business or nonprofit organization may be eligible for reimbursement, not to exceed \$25,000, for actual, reasonable, and necessary expenses incurred in relocating and reestablishing the operation at a replacement site.

Reestablishment expenses may include, but are not limited to, the following:

- a) Repairs or improvements to the replacement real property required by federal, state, or local laws, codes or ordinances.
- b) Modifications to the replacement real property to accommodate the operation or to make the replacement structures suitable for the operation.
- c) Construction and installation costs of exterior signs to advertise the operation.
- d) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as painting, wallpapering, paneling, or carpeting.
- e) Advertisement of the replacement location.
- f) Estimated increased costs of operation at the replacement site during the first two years for items such as lease or rental charges, personal or real property taxes, insurance premiums, or utility charges (excluding impact fees).

The following is a nonexclusive listing of reestablishment expenditures not considered to be reasonable and necessary, or otherwise not eligible for reimbursement.

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

### 7.1.4 Fixed Payment for Moving Expenses (In Lieu Payment)

Displaced businesses and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than \$1,000 or more than \$40,000. A business or nonprofit organization that is

determined to be eligible for a fixed payment will be paid after it moves from the property that LACMTA is acquiring and submits a claim for payment.

For a business to be eligible for a fixed payment, it must meet the following criteria, as determined by METRO.

- a) The business owns or rents personal property that must be moved due to the displacement.
- b) The business cannot be relocated without a substantial loss of its existing patronage (e.g., clientele or net earnings).
- c) The business is not part of a commercial enterprise having more than three other entities engaged in the same or similar business activity, which are under the same ownership and are not being displaced by METRO.
- d) The business is not operated at a displacement site solely for the purpose of renting such site to others.
- e) The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

In order to establish eligibility for the fixed payment option, a business must, before its move indicate the reasons the operation cannot be relocated without a substantial loss of existing patronage; and provide documentation supporting claimed net earnings for the two previous tax years.

Fixed payment eligibility requirements and payment computation for nonprofit organizations are slightly different from business requirements. The computation for nonprofit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two-year period specified.

### 7.1.5 Move of Personal Property Only

Persons that are required to move personal property from the project area but that do not reside at or operate a business at the displacement site may be determined to be eligible for a personal property only move. The owner of the personal property has the option of moving the personal property by using a commercial mover or by performing a self-move as described below.

**Commercial/Professional Move.** An owner of personal property may elect to hire professional or commercial movers to move personal property. LACMTA may reimburse the person for the reasonable and necessary moving cost, based on the lower of two qualified bids or estimates.

**Self-Move.** If an owner of personal property agrees to take full responsibility for all or part of the move of the operation, rather than hiring a professional or commercial mover, LACMTA may approve a payment not to exceed the lower of two acceptable bids or estimates obtained from qualified moving firms or moving consultants. A low cost or uncomplicated move may be based on a single bid or estimate, at LACMTA's discretion.

Before a self-move is performed, the following must be provided to a Relocation Consultant: (a) two acceptable bids or estimates from moving professionals; (b) a certified inventory of all personal property to be moved; (c) the date of the intended move; (d) the address of the replacement property; and (e) the opportunity to monitor and inspect the move.

### 7.1.6 Advertising Signs

The amount of a payment for direct loss of an advertising sign, which is considered personal property, shall be the lesser of:

- a) The depreciated reproduction cost of the sign, as determined by METRO, less any proceeds from its sale; or
- b) According to the State of California Department of Transportation Poster Panel Removal Schedule, (7-EX-14); or
- c) The estimated cost of moving the sign, but with no allowance for storage.

## 7.2 Relocation Payments for Residential Displacees

In addition to the advisory services described above, eligible residential displacees will receive appropriate financial assistance in accordance in the form of Relocation Payments outlined below.

### *Relocation Payments*

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacees. In the course of a personal interview and follow-up visits, each displacee will be counseled as to available options and the possible consequences of any choice with respect to financial assistance.

Relocation Payments will be provided in accordance with the URA and other applicable Rules. Benefits will be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with the LACMTA's normal administrative procedures.

LACMTA will process advance payment requests to mitigate hardships for tenants who do not have access to sufficient funds to pay move-in costs such as first month's rent and/or security deposits. Approved requests will be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

### 7.2.1 RESIDENTIAL MOVING EXPENSE PAYMENTS

All residential occupants to be permanently relocated will be eligible to receive a payment for moving expenses. Moving expense payments will be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

#### **a. Actual Cost (Professional Move)**

Displacees may elect to have a licensed professional mover perform the move upon acceptance by LACMTA after LACMTA reviews at least two acceptable bids. The actual cost of the moving services will be compensated by LACMTA in the form of a direct payment to the moving company upon presentation of an invoice. Transportation costs are limited to a distance of 50 miles. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement.

#### **b. Fixed Payment (based on Room Count Schedule)**

An occupant may elect to receive a fixed payment for moving expenses which is based on the number of rooms occupied in the displacement dwelling. In this case, the person to be relocated takes full responsibility for the move. The fixed payment includes all utility re-connections as described in (a), above.

The current schedule for fixed moving payments for the State of California published in the Federal Register is set forth in table below:

<b>Schedule of Fixed Moving Payments</b> <i>(effective August 26, 2021)</i>	
<b>Unfurnished Dwelling (Occupant Owns Furniture)</b>	
One room	\$780
Two rooms	\$1,000
Three rooms	\$1,250
Four rooms	\$1,475
Five rooms	\$1,790
Six rooms	\$2,065
Seven rooms	\$2,380
Eight rooms	\$2,690
each additional room	\$285
<b>Furnished Dwelling (Occupant Does Not Own Furniture)</b>	
First Room	\$510
Each additional room	\$100

### **Personal Property Moving Expense Assistance**

Individuals (such as non-occupant property owners), who are currently storing personal property on the Project site, may be eligible for a moving expense payment related to the relocation of their personal property. If a professional move is required, they would be eligible for an actual cost payment as outlined in 1(a), above.

### **7.2.2 REPLACEMENT HOUSING PAYMENTS**

#### **7.2.2.1 REPLACEMENT HOUSING PAYMENT (RHP) FOR HOMEOWNERS**

A person who owns and occupies a dwelling to be acquired for Project purposes for at least 90 days prior to the initiation of negotiations, may be eligible to receive a payment of up to **\$31,000.00** to assist in purchasing a comparable replacement dwelling, unless provisions of Housing of Last Resort apply. This payment, as determined in accordance with URA, consists of the following components, which will be explained by the Relocation agent to each displaced household:

1. **Purchase Price Differential** - The amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling.
2. **Mortgage Interest Differential** - The increased interest costs and other debt service costs which are incurred in connection with the mortgage(s) on the replacement dwelling.
3. **Incidental Expenses** - The reasonable expenses incidental to the purchase of the replacement dwelling, as determined in accordance with paragraph (e) of this section.

The above components of the RHP are further described as follows:

1. **Purchase Price Differential (PPD)**

The Purchase Price Differential is based on three factors:

Acquisition Price - The final price paid by the Authority for the Project dwelling;

Actual Replacement Housing Purchase Price - The actual price paid for a replacement dwelling; and,

Comparable Replacement Cost - The cost of a decent, safe and sanitary dwelling comparable to the dwelling acquired by the Authority.

The purchase price differential amount is determined by comparing the final acquisition price of the Project residence to the lesser of the actual price paid for a replacement home or the price of a comparable available decent, safe and sanitary dwelling. If the purchase price of a replacement home is less than the cost of a comparable replacement home, the payment will be limited to the actual difference. If the purchase price exceeds the cost of a comparable replacement home, the payment will be based on the cost of the comparable replacement home.

Replacement housing referrals to owner-occupants will match, as closely as possible, existing functional utility and relevant circumstances. The calculation of purchase price differential payments to owner-occupants of multifamily properties will be determined by comparing the pro-rated value of the portion of the property in which they live as compared to the comparable element of a replacement property.

2. **Mortgage Interest Differential (MIDP)**

The Mortgage Interest Differential Payment is intended to compensate homeowners for any increase in interest costs between the acquired dwelling and the replacement dwelling. Computation of the payment is based upon three factors: 1) the remaining term and amount(s) of the current mortgage or mortgages 2) the current type of mortgage product (i.e. fixed vs. variable) 3) a comparison of the mortgage interest rate for the acquired dwelling relative to the lesser of the current market rate or the actual new rate for a similar mortgage product. To be eligible for this payment, the mortgage on the dwelling being acquired must have been in place, as a valid lien, for at least 180 days prior to the Authority's initial written offer to purchase.

### 3. Incidental Expenses

One-time, non-recurring closing costs associated with the purchase of a comparable, replacement dwelling are compensable. Examples of such compensable expenses include costs for: legal description and deed; recording fees; title insurance; revenue stamps and transfer taxes; loan application fees; loan origination fees; appraisal fees; a credit report; certification for structural soundness; and, termite inspection, when required. Prepaid recurring expenses for mortgage interest, property taxes and insurance are not compensable.

#### 7.2.2.2 REPLACEMENT HOUSING PAYMENT FOR TENANTS

**Rental Assistance Option** - If an owner-occupant and chooses to rent rather than purchase a replacement dwelling, such displacee may be eligible for a rental assistance payment of up to the amount that they could have received under the Purchase Price Differential calculation. The payment will be based on the difference between an economic rent of the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

If the displacee receives a rental assistance payment and later decide to purchase a replacement dwelling, such displacee may apply for a payment equal to the amount the displacee would have received if the displacee had initially purchased a comparable replacement dwelling, less the amount the person has already received as a rental assistance payment.

#### **Rental Assistance to Tenants Who Choose to Rent**

To be eligible to receive the rental assistance benefits, the displaced tenant household has to rent or purchase and occupy a decent, safe, and sanitary replacement dwelling within one year from the date the tenant moves from the displacement dwelling.

Based upon the available data regarding Project displacees, the displaced household may qualify for, and may be eligible to apply for, Relocation Payments under URA provisions. Except in the case of Last Resort Housing situations, the potential payment to the household will be payable over a 42-month period and limited to a maximum of **\$7,200** as stated under URA guidelines. The relocation program is explained in detail in the informational brochure to be provided to each permanently displaced household.

Rental Assistance payment amounts are equal to 42 times the difference between the *base monthly rent* and the lesser of:

- The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; OR
- The monthly rent and estimated average monthly cost of utilities for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person.

The *base monthly rent* for the displacement dwelling is the lesser of:

The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period prior to displacement, as determined by LACMTA. For owner-occupants or households, which paid little or no rent, fair market rent will be used as a substitute for actual rent; OR

Thirty percent (30%) of the displaced person’s average, monthly gross household income, if the amount is classified as “low income” by the U. S. Department of Housing and Urban Development’s (HUD) Annual Survey of Income Limits for the Public Housing and Section 8 Programs. If a displacee refuses to provide appropriate evidence of income, the base monthly rent shall be determined to be the average monthly cost for rent and utilities at the displacement dwelling; OR

The total of the amount designated for shelter and utilities if receiving a welfare assistance payment from a program that designated the amounts for shelter and utilities.

Table below illustrates an example benefits computation under the URA:

<b>Example Computation of Rental Assistance Payments</b>		
1. Old Rent	\$1,200	Old Rent and Utilities
<b>or</b>		
2. Ability to Pay	\$1,300	30% of the Monthly Gross Household Income (if displacee meets HUD’s criteria for Low Income household)
3. Lesser of lines 1 or 2	<b>\$1,200</b>	Base Monthly Rental
<b>Subtracted From:</b>		
4. Actual New Rent	\$1,500	Actual New Rent and Estimated Utilities
<b>OR</b>		
5. Comparable Rent	\$1,700	Determined by LACMTA (includes estimated utilities)
6. Lesser of lines 4 or 5	\$1,500	
7. Yields Monthly Need:	\$300	Subtract line 3 from line 6
<b>8. Rental Assistance</b>	<b>\$12,600</b>	<b>Multiply line 7 by 42 months</b>

#### **Down payment Assistance to Tenants Who Choose to Purchase**

The displaced household may opt to apply the entire benefit amount for which they are eligible toward the purchase of a replacement unit (49 CFR 24.402(b)).

A displaced household, who chooses to utilize up to the full amount of their rental assistance eligibility (including any Last Resort benefits) to purchase a home, will have the funds deposited in an open escrow account, provided that the entire amount is used for the downpayment and eligible, incidental

costs associated with the purchase of a decent, safe, and sanitary replacement home. A provision shall be made in the escrow arrangements for the prompt return of LACMTA funds, in the event escrow should fail to close within a reasonable period of time.

Final determination about the type of Relocation Payments and assistance for which the household is eligible will be determined upon verification of the household's occupants and income.

### 7.2.3 REPLACEMENT HOUSING OF LAST RESORT *(49 CFR 24.404)*

If Project cannot proceed on a timely basis because "comparable replacement dwellings", as defined in URA, are not available within monetary limits for displaced owners or tenants, LACMTA will provide additional or alternative assistance under the provisions of URA rule 24.404 Replacement Housing of Last Resort. LACMTA, at its discretion, may opt to issue these payments in installments or in a lump sum. Recipients of rental assistance payment calculated under URA rule 24.404 who intend to purchase rather than rent their replacement dwelling, will have the right to request a lump sum payment of the entire Rental Assistance Payment in the form of *down payment* assistance. Tenant households receiving periodic payments will have the option to request a lump sum payment of remaining benefits to assist with the purchase of a decent, safe and sanitary dwelling.

## 7.3 Updated Owner/Tenant Displacee Information and Analysis as of September 1, 2023

In response to questions asked by LACMTA and Monument during interviews, some businesses indicated that they may require special permits or licenses that will need to be issued by the replacement site municipality or other agency. Some examples include liquor licenses, CO2 beverage dispensing operational permits, conditional use permits, hazardous material handling/disposal, stormwater discharge, AQMD permits, secondhand dealer/pawnbroker license, dismantler license and police permits. To mitigate this potential issue, LACMTA will work with business owners to allow additional lead time where possible for cases that may require these special permissions. In addition, LACMTA is exploring the possibility of working with issuing agencies to expedite permits for businesses displaced by the Project.

It is anticipated that some businesses will require professional services for advance move planning. Based on business interviews, professional move planning may be required for large businesses, businesses with substantial inventory on hand, businesses with large and/or specialized material or equipment (e.g. automotive lift, walk in refrigerator, large stone slabs), and businesses with equipment that must be moved by the manufacturer or authorized contractor to remain under warranty. LACMTA will work with these displacees as early in the process as possible to allow them the lead time and appropriate professional services. When necessary, relocation activities will begin pursuant to the issuance of a Notice of Intent to Acquire, which may afford additional time for businesses to locate and secure replacement sites. To date, LACMTA has already issued Notices of Intent to Acquire for some businesses where additional relocation lead time may be necessary.

In addition to long-lead permits and specialized move planning, several other potential issues have been identified based on interviews conducted with businesses. Some examples of the types of issues that could impact the relocation process are as follows:

- Several businesses are known or expected to be operating subject to a conditional use permit or ordinance that may be difficult to replicate at a replacement site. Some examples are SCV Recycling (a metal recycler and auto dismantler) and Dames and Games (a sports bar and adult entertainment venue). If these businesses are “grandfathered” into a conditional use permit or special overlay zone, obtaining an equivalent permit at a replacement site could be difficult or impossible. In these cases, a search for replacement sites may need to be directed to areas that will permit such a use, even if the replacement site falls outside the immediate displacement area.
- Certain businesses may face challenges if replacement sites are identified too far from existing suppliers, customers, employees, or specific critical infrastructure:
  - MV Transportation is a contractor that provides public transportation services. While their fleet of transit vans is located at the displacement site, their corporate office is located nearby. Relocating them farther from the corporate office could result in a hardship for the business.
  - Frontier Communications operates a service center that could be displaced by the Project. A relocation site could require approval from the Telecommunication Workers union to ensure that the business is not moved too far from existing employees.
  - Avalanche Air Inc., a full-service HVAC company, is strategically located near several suppliers upon which they depend to operate their business. In their interview, they expressed how critical it is for them to be relocated nearby.
- Due to the industrial nature of the MSF displacement area, many businesses have large equipment or material on site that will require specialized move contractors. In particular, several stone fabrication businesses currently operate at the displacement site. Many of them communicated through interviews the concerns they have about moving the large but delicate stone slabs stored on site.

To address these types of issues, LACMTA and Monument will work closely with all business owners to understand their specific relocation needs and provide them with information on available replacement sites, financial assistance, and other advisory assistance under LACMTA’s Relocation Assistance Program. Additionally, LACTMA and Monument maintain relationships with real estate brokers in the project area who will be able to provide local insights on the availability of potential replacement sites and other information to help businesses successfully relocate.

In addition to the relocation advisory services and direct financial assistance available through LACMTA’s Relocation Assistance Program, the availability of suitable replacement sites will play a major factor in the successful relocation of displaced residents and business. Section 5.0 discussed LACMTA’s commitment to provide relevant referrals to displacees. This section discusses the current availability of residential and non-residential replacement sites as of the time of this update.

If the number of comparable replacement sites for a given use type and size exceeds the number of displacements, it can be said that a surplus of available sites exists. If the number of comparable replacement sites is insufficient to accommodate displaced uses, it can be said that there is a deficit. The size of the “gap” between the number of displaced uses and the number of available replacement sites can be a meaningful indicator of the likelihood that displacees will be able to successfully relocate.

The following gap analyses are based on the assumption that the number and types of replacement properties currently available for sale or lease will be similar to the number available when relocations actually occur. It is also anticipated that additional sites will become available during relocation activities. Finally, it is generally assumed that tenants currently leasing space will be relocated to leased spaces, and that owner-occupants will wish to purchase ~~replacements~~ replacement sites unless specifically noted otherwise in interviews.

As of the time of this update, there appear to be sufficient replacement sites available to accommodate all potentially displaced non-residential uses. Therefore, there is no “gap” between the number of displaced uses and the number of available replacement sites. Replacement site searches for this Plan were conducted during May through September, 2023. Business types and sizes were determined using data obtained through interviews and site inspections where possible. In cases where occupants could not be reached, or the necessary information was not disclosed in interviews, data was estimated using information from publicly available sources such as the Los Angeles County Assessor’s data, and commercial real estate data services such as Costar and LandVision.

Based on the surplus of replacement sites available in each size category, there appears to be sufficient inventory to accommodate owner-occupied and tenant-occupied businesses. However, specific needs identified by each business could limit the number of potential replacement sites that could be reasonably adapted to suit each business. LACMTA will work with each business to identify these needs as early as possible in order to maximize the time available to locate a suitable replacement site and perform any necessary modifications. As discussed in Section 4.1, additional time may also be necessary to obtain the necessary permissions for businesses to operate at the replacement site. LACMTA will provide assistance to help businesses apply for and obtain those permissions as expeditiously as possible.

As of the time of this update, there are sufficient residential replacement sites available to accommodate potentially displaced residents. Although the exact number and size of households in the displacement area are unknown, residential displacement is anticipated to be minimal. A replacement site search for 1-bedroom rentals was performed within and immediately surrounding the City of Van Nuys using the popular rental listing site Apartments.com. Rental listings were filtered to \$2,000 per month or less. There is a significant surplus of replacement sites available as of the time of this report. Once additional information about potential residential displacees is available, the replacement site search may need to be modified; however, based on the limited number of estimated residential displacees and the abundance of available residential units available in the Project area, no significant issues identifying replacement sites are anticipated.

#### 7.4 Proposed Acquisition and Relocation Streamlining and Enhancements

In September, 2023, LACMTA proposed streamlining and enhancement measures to facilitate acquisition and relocation tasks in order to reduce hardships to owners and displacees while accelerating the delivery of right of way. The subject project will use both Caltrans and FTA funding sources and comply with the requirements of both agencies. LACMTA anticipates proposing these streamlining and enhancement measures to its Board of Directors for approval at its November 30, 2023 meeting. Outreach to FTA and Caltrans and other stakeholders for concurrence will be essential prior to this Board meeting, as these measures have not yet been approved.

These streamlining and enhancements include the following:

## Streamlining Measures

### (1) Potential Use of Increased FTA Settlement and Appraisal Thresholds

#### a. Regulatory Authority for Increased Settlement and Appraisal Thresholds

Discussions with right of way industry consultants and transit agency officials revealed documentation of FTA-funded projects where grantees were successful in raising the FTA \$1,000,000 appraisal concurrence threshold and the \$50,000 settlement concurrence threshold. These thresholds require FTA to use its staff or consultants to review any LACMTA-approved appraisal over \$1,000,000 and any LACMTA-proposed settlements of \$50,000 or more over the approved appraisal amount. During its reviews, FTA will ask LACMTA questions or make comments concerning the appraisals and/or proposed settlements. LACMTA will then have to respond and this process will take some time.

LACMTA's request to increase FTA settlement and concurrence thresholds is based upon FTA Circular 5010-1E, Page IV-8, section g. This section states:

#### *g. Special Real Estate Acquisition Program Strategies/Issues.*

*Several real estate program strategies or issues are worthy of discussion in some detail as follows:*

***(1) Alternative Procedure. A recipient with a qualified and fully staffed real estate department conducting a major capital project within an FTA assisted Award may request an alternative process, which permits higher dollar thresholds before FTA prior concurrence is needed. Recipients may request a review through the FTA Regional Office. An FTA real estate specialist will review the acquisition process and the recipient's capabilities. (Emphasis added.)***

*The request for the approval for alternative real property procedures at a minimum should include the following:*

- a) A statement providing an overall justification and reasoning for why the alternative procedure is requested;*
- b) A copy of real estate department operating procedures;*
- c) A real estate department organization staffing chart;*
- d) A strategy for using and qualifying real estate services contractors, if used;*
- e) An estimate of the number of transactions that may exceed requested threshold(s);*
- f) A discussion of real estate acquisition schedule/status relative to the overall schedule for the Award; and*
- g) A discussion of real estate department program quality assurance/quality control procedures that are in place to assure program delivery is in compliance with Uniform Act requirements and effective/efficient operational standards given the higher thresholds requested.*

LACMTA will issue requests to FTA for increased settlement and appraisal thresholds. As a preliminary proposed figure, it is recommended that LACMTA request a combined appraisal concurrence threshold and settlement figure of \$6,000,000.

It is anticipated that increased appraisal and settlement concurrence amounts will result in the following benefits to LACMTA:

- faster appraisal approval on complex parcels
- less time taken for administrative coordination with FTA on settlements and
- less potential condemnation costs due to increased LACMTA settlement authority

## (2) Potential Use of Appraisal Waivers

Both FHWA and FTA recognize the use of appraisal waivers where appropriate to value certain types of acquisitions.

Regulatory authority for appraisal waivers is found in 49 CFR 24.102 (C ) (2). Appraisal waivers are deemed appropriate where the valuation problem is uncomplicated, and the anticipated value of the proposed acquisition is estimated at \$10,000 or less. However, the Federal Agency funding the project may approve appraisal waivers up to \$25,000 if the acquiring agency offers the landowner the option of having the agency appraise the property. It is recommended that LACMTA explore the use of appraisal waiver valuations to establish the value of the uncomplicated lower value temporary construction easements (TCE's).

It is anticipated that the use of appraisal waivers will result in the following potential benefits to LACMTA and impacted property owners:

- faster valuations of TCE's as opposed to the use of appraisals
- schedule savings
- faster delivery of payments to property owners and cost savings over the use of appraisals

It is noted that should any of the properties valued via an appraisal waiver become the subject of a condemnation action, a full appraisal and review appraisal will be necessary.

## Enhancement Measures

### (1) Potential Use of Acquisition Incentives

The Federal Highway Administration (FHWA), Office of Real Estate Services has determined that FHWA may participate in right-of-way acquisition incentive payments made under an FHWA approved plan or program. Acquisition incentive payments are payments that are over and above the just compensation offer provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

Recent studies on the use of incentive payments on transportation projects demonstrate that they can be effective in decreasing the time needed to acquire and clear needed rights-of-way. (See attached Exhibit 1 Caltrans Memorandum on Incentives dated June 12, 2014). This memorandum (Caltrans Memo) describes how FHWA's authority to participate in incentive payments is derived from 23 CFR 710.203(b)(2)(ii). (See attached Exhibit 2, Text of 23 CFR 710.203(b)(2)(ii)).

The Caltrans Memo also describes how it administers acquisition incentive programs and the conditions for their use. The ESFV Project Team has indicated that there will be Caltrans funding in the first acquisition phase involving the Maintenance and Storage Facilities (MSF) parcels. Specifically, the Caltrans Memo states:

- “The Division of Right of Way and Land Surveys is implementing an acquisition incentive program to encourage property owners to sign Right of Way (ROW) contracts within sixty (60) days of the Initiation of Negotiations (ION) or any offer based on an approved appraisal revision. Payments will be offered for both permanent and temporary acquisitions. The Payment for a permanent or temporary acquisition will be based on a lump sum payment of 10% of the appraised value of all parcels under the same ownership with a minimum payment of \$1,000 and a maximum payment of \$100,000.
- The Payment amount will be calculated on the final appraised value and will then be rounded separately from the final appraised value based on the rounding rules found in Section 7.02.11 of the Right of Way Manual.
- The Payment is a standing offer for sixty (60) days. The 60 days starts with the Initiation of Negotiations (ION) as day one (1). The 60 days includes weekends and holidays. For mailed offers it starts on the date the offer was received by certified mail.
- The Payment is a standing offer for sixty days regardless of Caltrans initiating eminent domain proceedings. Additionally, this time period will be sufficient to allow the property owner the opportunity to obtain their own appraisal where Caltrans pays the reasonable cost of the appraisal up to \$5,000 as provided by California Code of Civil Procedure section 1263.025.”

It should be noted that FTA does not currently have a policy on acquisition incentives but **does not prohibit them**.

The following incentive program is recommended to apply to MSF, traction power substations (TPSS), TCE and partial permanent acquisitions, understanding that Caltrans will not participate in the amounts above the incentives discussed above. The amounts of incentives recommended for ESFV are listed below:

- 20% of the appraised value for all parcels if the offer is accepted within 60 days (with a minimum of \$3,500 incentive payment and a maximum of \$500,000)

It is anticipated that an acquisition incentive program will result in the following potential benefits to LACMTA and impacted property owners:

- faster settlements and delivery of right of way
- helps facilitate good rapport with the property owner
- schedule savings and
- less potential condemnation costs.

## (2) Potential Use of Enhanced Relocation Benefits

LACMTA will propose to increase non-residential relocation benefit amounts for categories that have an existing cap. (Existing caps under the URA, include the In-lieu fixed payment capped at \$40,000; the re-establishment payment capped at \$25,000;. and searching benefits capped at \$2,500.)

No specific federal regulatory authority for increasing the existing URA caps has been found, however there is no prohibition either. In fact, FHWA in its Notice of Proposed Rule Making (NPRM) , issued in December 2019, proposed to:

*“add a new section to the regulation to implement the new provision in MAP-21 at Section 1521(d)(2) which provides that if the head of the Lead Agency determines that the cost of living, inflation, or other factors indicate the relocation assistance benefits should be adjusted to meet the policy objectives of the Uniform Act, that the head of the Lead Agency may adjust: The amounts of relocation benefits for reestablishment expenses-nonresidential moves; fixed payment for moving expenses-nonresidential moves; replacement housing payment for 90-day homeowner-occupants; and replacement housing payment for 90-day tenants and certain others.”*

(See Exhibit 3, NPRM, Section 24.11 Adjustments of Payments).

So, there is recognition by FHWA that some capped relocation benefit categories could be adjusted for good reason, i.e., inflation. However, FHWA’s proposed rule making has not been approved and is not currently in effect.

It should be understood that there are States that offer re-establishment benefits higher than federal limits. For example, the State of Washington has a re-establishment limit of \$50,000 while New Hampshire offers a \$100,000 re-establishment limit. (See Exhibit 4 State of Washington Relocation Manual page 12-80 and Exhibit 5, New Hampshire Right of Way Manual pages 152-153.)

There is no doubt the increased benefits would reduce hardship to displacees and likely speed up the relocation process to some degree. Therefore, it is recommended, based on staff’s decades of field experience, that the following capped benefits be raised to the amounts listed below:

- In-lieu fixed payment be raised from a maximum of \$40,000 to a maximum of \$50,000
- Re-establishment be raised from a maximum \$25,000 to a maximum of \$40,000 and Searching benefits be raised from a maximum of \$2500 to a maximum of \$5,000

It is anticipated that increasing capped non-residential relocation amounts will result in the following potential benefits to LACMTA and impacted displacees:

- faster relocations and less hardships to displacees, especially small businesses
- accelerated parcel vacancies and schedule savings
- potentially less loss of good will and
- faster delivery of the higher benefit amounts via relocation claims

## 8.0 OTHER IMPORTANT INFORMATION

### 8.1 Relocation Site Office

A temporary relocation site office may be established on site where assigned staff and Relocation Consultants will work closely with all displaced persons and appropriate agencies in carrying out the relocation program. Staffing and working hours may be arranged to provide services conveniently available to all displaced persons from the project.

### 8.2 Filing Claims

Relocation expenses typically will be reimbursed after displaced persons submit to the Relocation Consultant a signed claim and all required documentation supporting the claim. Claims may be submitted as costs are incurred; displaced persons do not have to wait until their relocation is complete to submit claims for reimbursement. In cases where hardship is identified, LACMTA may elect to make an advance payment with documentation to follow.

For tenants of property acquired by METRO, all claims for relocation assistance must be submitted to a Relocation Consultant and filed with LACMTA within 18 months after the displaced person vacates the property. A Relocation Consultant will work with each displaced person to properly document claims for reimbursement. The Relocation Consultant will submit each complete claim to LACMTA for review and processing. LACMTA will make every effort to provide reimbursement for any approved, eligible portion of that claim as soon as possible.

If LACMTA denies all or a part of a claim for reimbursement, or if LACMTA refuses to consider a claim, LACMTA shall promptly notify the displaced person in writing of its determination, the basis for its determination, and the procedures for appealing the determination.

### 8.3 Relocation Payments Are Not Considered Income

Per the URA (49 CFR Sec. 24.209), no relocation reimbursement received by a Displaced Person will be considered as income for the purpose of the Internal Revenue Code, or for determining the eligibility of a person for assistance under the Social Security Act, or any other federal law, except for any federal law providing low-income business and housing assistance.

Payments made by LACMTA to a third party can be considered a taxable event. As a result, third-party payments may be subject to an IRS Form 1099 from METRO.

### 8.4 Business Goodwill

A claim for potential loss of Business Goodwill would be separate from any claim for relocation assistance benefits and would not be provided as part of LACMTA's Relocation Program. Business owners should contact LACMTA's representative for more information regarding business goodwill.

Substantiated claims for loss of Goodwill will be paid with non-federal funds in accordance with California State Law (California Code of Civil Procedure section 1263.510).

## 8.5 Nondiscrimination

Under Title VII of the federal Civil Rights Act of 1968 (The Act), discrimination based on race, color, religion, sex, or national origin in the purchase and rental of most residential units is illegal. The Act ensures that all services and benefits will be administered to the public without regard to race, religious creed, color, medical condition, sex, sexual orientation, gender identity, marital status, parental status, domestic partner status, age, national origin, ancestry, disability, veteran status, or any other basis protected by law.

## 8.6 General Information

This summary of LACMTA's Relocation Program has been provided as a courtesy by METRO. It is intended to provide general information concerning LACMTA's Relocation Program and to assist displaced persons in understanding their rights and benefits. Questions regarding LACMTA's Relocation Program should be directed to a Relocation Consultant once a consultant has been assigned.

Further details regarding federal and state relocation assistance and benefits are set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. Sections 4601 et seq., and its implementing regulations, 49 CFR Part 24; the California Relocation Act, Govt. Code Sections 7260 et seq., and its implementing regulations, 25 Cal. Code Regs. Sections 6000 et seq.

## 8.7 Project Assurances

LACMTA is committed to providing relocation assistance to all eligible occupants who are required to relocate as a result of the Project. LACMTA will not proceed with any approval of the project or other activity that will result in the displacement of any person, or business until it makes the following determinations:

- a) Fair and reasonable relocation payments will be provided to eligible persons in accordance with federal and state laws and guidelines.
- b) LACMTA has established a Relocation Program offering the services described in applicable federal and state law and guidelines.
- c) Eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures.
- d) Adequate provisions have been made to provide orderly, timely, and efficient relocation of eligible persons without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.
- e) Comparable replacement dwellings will be available within a reasonable period of time prior to displacement sufficient in number, size and cost for the eligible persons who require them.
- f) No person will be displaced until LACMTA has fulfilled the obligations imposed by the applicable relocation regulations.
- g) LACMTA will contract with qualified Relocation Assistance consultant for the following services:
  - 1) Provide current and continuing information on the availability, prices, and rentals of comparable residential and commercial properties and locations.

- 2) Assist each eligible displaced person to complete applications for payments and benefits.
- 3) Assist each eligible displaced person in obtaining and becoming established in a suitable replacement location.
- 4) Provide any services required to ensure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, marital status, familial status, or any basis protected by state or federal antidiscrimination laws, or any other arbitrary circumstances.
- 5) Supply to such eligible persons information concerning programs administered by the Federal Small Business Administration, and other federal or state programs, offering assistance to displaced persons.
- 6) Provide other advisory assistance to eligible persons in order to minimize their hardships. As needed, such assistance may include counseling and referrals with regard to financing, employment, training, health and welfare, as well as other assistance.
- 7) Inform all persons who are expected to be displaced about the eviction policies to be pursued in carrying out the project.

In addition to providing relocation benefits, LACMTA will employ measures to mitigate hardships to displacees and maintain the project schedule by avoiding potential problems. Some of the measures that can be employed are summarized here. Specifically, LACMTA will meet the business owners as soon as practicable to establish cooperative relationships and enhance their understanding of the relocation benefits, with focus on advisory assistance and payments for Substitute Personal Property and Direct Tangible Loss. In addition, LACMTA will identify “long lead” relocations as quickly as possible and highlight these relocations in the Relocation Plan. Where needed, LACMTA will issue Notices of Intent to Acquire for “long lead” relocations so relocation activities can begin prior to the first written offer. LACMTA will identify resources that might benefit the displacee as soon as possible (information on small business loans; other governmental programs that might assist the displacee, etc.) and have this information available prior to working with the displacee. LACMTA will attend appraisal inspections to view F&E and identify any F&E that would have special relocation requirements. LACMTA will identify any governmental permitting for businesses that may take significant amounts of time and explore ways to expedite the permits. LACMTA will identify any special zoning requirements as soon as possible for businesses that require them. Displacees will receive assistance with coordination of meeting local code requirements, e.g. fire permit, conditional use permit, etc.). Finally, in cases of a demonstrated need/hardship, LACMTA will make advance relocation payments.

## 9.0 RELOCATION APPEALS PROCESS

The LACMTA Relocation Appeals Procedure will be described in all printed matter explaining LACMTA’s Relocation Assistance Program, including the Informational Packets that are distributed at public hearings and/or to individual displaced persons.

A Displacee’s right to appeal will also be mentioned whenever any verbal presentation is made at public hearings covering relocation assistance.

- On relocation calls, the Relocation Consultant will provide the following information to the displaced person:
- How to make an appeal;
- Appeals must be filed with LACMTA no later than six months following the deadline for filing a claim for a relocation payment;
- The right to personally appear at all hearings;
- The right of appeal relates only to the Relocation Assistance Program and not to the market value of the property or to the terms of the acquisition agreement for the real estate;
- Appeal decisions will be made in writing;
- The LACMTA Relocation Appeals Procedure and Appeal Form will be provided to the displacee upon request;
- The right of the Displacee to pursue legal action after completion of the appeal process.

#### Review of Files by Appellant

- The following materials will be classified as confidential by LACMTA and not allowed to be inspected or copied by the appellant:
- The Relocation Case File
- Correspondence to and from Legal Counsel
- That additional material determined by LACMTA Legal Counsel, on a case-by-case basis, to be confidential and unavailable to the appellant.

LACMTA will set a reasonable time limit for the appellant to review the file, taking into consideration that Legal Counsel must first review the case file to determine which material is confidential and which is not. LACMTA may also charge reasonable fees for any copied material.

LACMTA's Relocation Appeal Policy is provided in Appendix M.

## APPENDIX A

**List of Parcels with Potentially Impacted Commercial/Residential Occupants**

## PRELIMINARY DATA

INTENDED USE	PROJECT PARCEL NUMBER	APN	SITE ADDRESS	ACQUISITION	NAME OF DISPLACEE(S)
TPSS 1	ESFV-A-001-1	2241-027-003	6073 Van Nuys Blvd	Full	6 Day Weight Loss / American Bariatric
TPSS 1	ESFV-A-001-1	2241-027-003	6073 Van Nuys Blvd	Full	LA Car Zone
TPSS 1	ESFV-A-001-1	2241-027-003	6073 Van Nuys Blvd	Full	Daniel D. Coe (owner)
TPSS 1	ESFV-A-001-1	2241-027-003	6073 1/2 Van Nuys Blvd	Full	Ministerio Profetico Rios de Auga Viva
TPSS 1	ESFV-A-001-1	2241-027-003	6073 Van Nuys Blvd	Full	Clear Channel
TPSS 2	ESFV-A-002-1	2236-023-001	6429 Van Nuys Blvd	Full	<u>El Cafetal Salvadorean Restaurant</u>
TPSS 2	ESFV-A-002-1	2236-023-001	6429 Van Nuys Blvd	Full	Stephen Sol Wies, Michael Bacall, Sylvia R. Bacall (Owners)
TPSS 6	ESFV-B-006-1	2644-030-016	9462 Vans Nuys	Full	Small Office (Western Pacific Med Corp)
TPSS 6	ESFV-B-006-1	2644-030-078	9462 Vans Nuys	Full	Residential property (SFR)
TPSS 7	ESFV-C-001-1	2647-022-015	14229 Van Nuys	Full	Residential property (SFR)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14533 Keswick Street Unit 1 & 2	Full	Global StoneTrading Inc. (14560 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14533 Keswick St Unit 3	Full	Stone Shoppe (2240 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14533 Keswick St Unit 4	Full	Valegui Stone Inc. (2240 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14533 Keswick St Unit 5	Full	Bella Stone Fabrication & Installation (5152 Sqft)

MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14533 Keswick St Unit 6	Full	AVM Auto Body (2576 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14533 Keswick St Unit 7	Full	OMG Stoneworks, Inc DBA Olympia Marble & Granite (9296 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14523 Keswick St Unit 8	Full	Universal 1 Auto Body (2240 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14523 Keswick St Unit 9 & 10	Full	Pyramid Tile & Marble (5040 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14535 Keswick St	Full	George Spordous (2800 sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14535 Keswick St	Full	Valentin Machine Shop (2240 Sqft)
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14535 Keswick St	Full	Valentin - Residential Trailer
MSF	ESFV-E-001-1	2210-030-007 2210-030-031 2210-030-008 2210-030-030	14535 Keswick St	Full	Ilan Bldg. Comp, LLC  (owner)
MSF	ESFV-E-002-1	2210-030-011	14545 Keswick St	Full	Stone Applications, Inc.
MSF	ESFV-E-002-1	2210-030-011	14545 Keswick St	Full	Franz J. Neuwirth Gretchen V. Newell Trustees (owner)
MSF	ESFV-E-003-1	2210-030-009 2210-030-010 2210-030-014 2210-030-016	14603 Keswick St	Full	Ronin Collective, LLC

MSF	ESFV-E-003-1	2210-030-009 2210-030-010 2210-030-014 2210-030-016	14603 Keswick St.	Full	New Marble Unlimited, Inc.
MSF	ESFV-E-003-1	2210-030-009 2210-030-010 2210-030-014 2210-030-016	14605 Keswick St	Full	Boulevard Tile & Stone, Inc. (BTS) – D003
MSF	ESFV-E-003-1	2210-030-009 2210-030-010 2210-030-014 2210-030-016	14605 Keswick St	Full	Steve M. Lieser— <del>D004</del> Lieser Holdings, L.P. a California Limited Partnership (owner)
MSF	ESFV-E-004-1	2210-030-029	14546 Raymer St	Full	STR – D001 Active Auto
MSF	ESFV-E-004-1	2210-030-029	14546 Raymer St	Full	Zeyad S. Hillo and Waleed E. Hillo (owner)
MSF	ESFV-E-005-1	2210-030-013	14555 Keswick St	Full	Black Bike, Inc
MSF	ESFV-E-005-1	2210-030-013	14555 Keswick St	Full	Redline Cycles
MSF	ESFV-E-005-1	2210-030-013	14555 Keswick St	Full	Python Vehicles USA
MSF	ESFV-E-005-1	2210-030-013	14555 Keswick St	Full	All American Alliance (Towing)
MSF	2210-030-013	2210-030-013	14555 Keswick St	Full	Oaktree Hospice, Inc.
MSF	ESFV-E-005-1	2210-030-013	14555 Keswick St	Full	Elkin Gamboa LLP
MSF	ESFV-E-005-1	2210-030-013	14555 Keswick St	Full	14555 Keswick, LLC (owner)
MSF	ESFV-E-006-1	2210-030-028	14556 Raymer St	Full	TipTop Restoration, Inc. Purple Construction & Remodeling, Inc.
MSF	ESFV-E-006-1	2210-030-028	14556 Raymer St	Full	David M. Striks and Mirian B. Striks  David M. Striks and Mirian B. Striks  Solomon D. Pearlman (owners)
MSF	ESFV-E-007-1	2210-030-019	14600 Raymer St	Full	MV Transportation, Inc.

MSF	ESFV-E-007-1	2210-030-019	14600 Raymer St	Full	Gregory R. Baker and Lisa K. Baker Trustees of The Baker Trust Dated September 29, 2000 (owners)
MSF	ESFV-E-008-1	2210-030-024	14617 Keswick St	Full	<a href="#">G&amp;A Fire Protection Corp.</a>
MSF	ESFV-E-008-1	2210-030-024	14617 Keswick St	Full	<a href="#">G&amp;A Underground Utility Corp.</a>
MSF	ESFV-E-008-1	2210-030-024	14617 Keswick St	Full	Arya Company
MSF	ESFV-E-008-1	2210-030-024	14617 Keswick St	Full	IBeauty Brands, Inc.
MSF	ESFV-E-008-1	2210-030-024	14617 Keswick St	Full	Ambar Investment Group, LLC (owner)
MSF	ESFV-E-009-1	2210-030-018	14612 Raymer St	Full	Ed Pink Racing Engines, Inc.
MSF	ESFV-E-009-1	2210-030-018	14612 Raymer St	Full	Malloy Family Partners, L.P. (owner)
MSF	ESFV-E-010-1	2210-030-017	14626 Raymer St	Full	Rouge Gentleman's Club Inc. DBA Dames & Games
MSF	ESFV-E-010-1	2210-030-017	14626 Raymer St	Full	Raymer Street Properties, LLC -D002 (owner)
MSF	ESFV-E-011-1	2210-025-005 2210-025-035	14635 Keswick St 14645 Keswick St	Full	Frontier Communications
MSF	ESFV-E-011-1	2210-025-005 2210-025-035	14635 Keswick St 14645 Keswick St	Full	Lainer Brothers, a California General Partnership (owner)

MSF	ESFV-E-012-1	2210-025-007	14646 Raymer St	Full	SCV Recycling
MSF	ESFV-E-012-1	2210-025-007	14646 Raymer St	Full	Franz J. Neuwirth and Gretchen V. Newell (owners)
MSF	ESFV-E-013-1	2210-025-008 2210-025-009 2210-025-034	14660 Raymer St 14663 Keswick St	Full	Keolis (transportation shuttles)
MSF	ESFV-E-013-1	2210-025-008 2210-025-009 2210-025-034	14660 Raymer St 14663 Keswick St	Full	I&E Cabinets, Inc.
MSF	ESFV-E-013-1	2210-025-008 2210-025-009 2210-025-034	14660 Raymer St 14663 Keswick St	Full	Dennis L. Newman and Shaaron L. Newman  Newman and Sons, Inc., and Roger L. Newman (owner)
MSF	ESFV-E-014-1	2210-025-010	14701 - 14707 Keswick St	Full	David Barnes, LLC
MSF	ESFV-E-014-1	2210-025-010	14706 Raymer St	Full	SIT Catering & Event Rentals, Inc.
MSF	ESFV-E-014-1	2210-025-010	14712 Raymer St	Full	Avalanche Air Inc. Air Cool
MSF	ESFV-E-014-1	2210-025-010	14714 Raymer St	Full	MSS Construction, Inc.
MSF	ESFV-E-014-1	2210-025-010	14714 Raymer St	Full	Joyce S. Berens, Trustee of the Joyce Berens Turst Fund Dated December 5, 2005 -  Gene Ray Vaccarello, Gerald Vaccarello, Barbara Vaccarello, Dale Vaccarello & Diane E. Vaccarello  Dona C. Meyer  (owners)
MSF	ESFV-E-014-1	2210-025-010	14701 - 14707 Keswick St	Full	SBA 2012 TC Assets, LLC – D008
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St Suite B	Full	Brian Williams DBA NDI Worldwide

MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St.	Full	Tip-Top Restoration
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St (14721 Keswick St. Unit A)	Full	Noah Eye Woodworks, Inc.
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St. (14721 Keswick St. Unit B)	Full	Hi-Style Metal Design, Inc.
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St. (14721 Keswick St. Suite C)	Full	Moulding Center
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St. (14721 Keswick St Unit D)	Full	Universal Stone Works - D006
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St. (14721 Keswick St Unit E)	Full	Almas Iron Work – D007
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St. (14721 Keswick St Unit F)	Full	Unique Iron Design
MSF	ESFV-E-015-1	2210-025-044	14718 Raymer St. (14721 Keswick St)	Full	JB Partners, LLC (owner)
MSF		2210-025-016	14743 Keswick St	Full	Vacant (previously a body shop)
MSF	RA-E-003-a	2210-025-049	14745 Keswick St	Full	<a href="#">All-Pro Distributing Inc.</a>
MSF	ESFV-E-016-1	2210-025-045	14742 Raymer St	Full	Heating & Cooling Supply
MSF	ESFV-E-016-1	2210-025-045	14742 Raymer St	Full	Wilshire DS2 (owner)

## Residential Occupant

## APPENDIX B

**Sample General Information Notice**

Dear Occupant:

The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "METRO") is interested in the property you currently occupy at \_\_\_\_\_ for a proposed transit project that may receive financial assistance from the federal government.

The purpose of this Notice is to inform you that you may be displaced as a result of the proposed project. This Notice also serves to inform you of your potential rights as a displaced person in accordance with ***Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)*** You may be eligible for relocation assistance and payments under the *Guidelines*, if the proposed project receives funding and if you are displaced as a result of acquisition, rehabilitation or demolition for the project.

- **This is not a notice to vacate the premises.**
- **This is not a notice of relocation eligibility.**

If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to you find another place to live; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving expenses; and 4) Replacement housing payments to enable you to rent, or if you prefer to purchase, a comparable replacement home. You will also have the right to appeal LACMTA's determination, if you feel that your application for assistance was not properly considered.

The enclosed informational brochure, "*Relocation Assistance to Tenants Displaced from Their Homes*" provides an explanation of this assistance and other helpful information.

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

**Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time.** If you are determined to be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event the proposed project does not proceed and/or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions about this notice or the proposed project, please contact your Relocation Agent.

**[Relocation Agent/Firm Contact Information]**

Sincerely,

[Name] / [Title]

ACKNOWLEDGEMENT RECEIPT:

Received By: \_\_\_\_\_

## Sample General Information Notice

### Non-Residential

Dear Occupant:

The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as “METRO”) is interested in the property you currently occupy at \_\_\_\_\_ for a proposed housing development that may receive financial assistance from the federal government.

The purpose of this Notice is to inform you that your business operation may be displaced as a result of the proposed transit project. This Notice also serves to inform you of your potential rights as a displaced person in accordance with ***Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)***. You may be eligible for relocation assistance and payments if the proposed project receives funding assistance and if you are displaced as a result of acquisition, rehabilitation or demolition for the project.

- **This is not a notice to vacate the premises.**
- **This is not a notice of relocation eligibility.**

If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to find you a replacement location; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving and reestablishment expenses. You also have the right to appeal LACMTA’s determination, if you feel that your application for assistance was not properly considered.

The enclosed informational brochure, “*Relocation Assistance To Displaced Businesses, Nonprofit Organizations, and Farms*” provides an explanation of this assistance and other helpful information.

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

**Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time.** If you are determined to be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event the proposed project does not proceed or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions about this notice or the proposed project, please contact your Relocation Agent:

#### **[Relocation Agent/Firm Contact Information]**

Sincerely,

[Name] / [Title]

ACKNOWLEDGEMENT RECEIPT:

Received By: \_\_\_\_\_

## APPENDIX D

**Sample Notice of Eligibility for Relocation Assistance**

## Residential Tenant

Subject: Notice of Eligibility (Residential Tenant)

Dear,

On \_\_\_\_\_, The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "METRO") notified you of our proposed plans to construct the [Project Name].

This is a *Notice of Eligibility for Relocation Assistance*. To carry out the project, it will be necessary for you to permanently relocate. However, *you do not need to move now*. You will not be required to move without at least 90 days advance written notice of the date by which you must vacate. And when you do move, you will be entitled to relocation payments and other assistance in accordance with ***Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA)***

**Payment for Moving Expenses.** You may choose either (1) a payment for your actual reasonable moving and related expenses, or (2) if you prefer, a fixed moving expense and dislocation allowance of \$\_\_\_\_\_.

**Replacement Housing Payment.** You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors, including the cost of a "comparable replacement home," the monthly rent and average cost of utility services for your present home, and 30 percent of your average gross household income.

Listed below are three "comparable replacement homes" that you may wish to consider:

	<b>Address</b>	<b>Rent and Utility Costs</b>	<b>Name and Tele. No. of Person to Contact</b>
1.			
2.			
3.			

We would be pleased to provide you with transportation to inspect these dwelling units. We believe that the unit at (address) is the most representative of your present home. The rent and the estimated average cost of utility services for that unit is \$\_\_\_\_. Based on the information you have provided about your income, you may be eligible for a rental assistance payment up to \$\_\_\_\_ (42 x \$\_\_\_\_). This is the maximum amount that you would be eligible to receive. It would be paid in installments or lump sum. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than \$\_\_\_\_, your rental assistance payment would be based on the actual cost of such unit.

Contact us immediately if you do not agree that these units are comparable to your home. We will explain the basis for our selecting these units. And, if necessary, we will find other units. We will not base your payment on any unit that is not a "comparable replacement home."

Should you choose to buy (rather than rent) a decent, safe and sanitary replacement home, you would be eligible for a down payment of \$\_\_\_\_. Let us know if you would prefer to buy a replacement home, and we will help you find such housing.

I am enclosing a brochure entitled, “*Relocation Assistance to Tenants Displaced From Their Homes.*” Please read the brochure carefully. It explains your rights and some things you must do to obtain a payment. For example, to obtain a replacement housing payment you must move to a decent, safe and sanitary home within one year after you vacate your present home. Therefore, do not commit yourself to rent or buy a unit until we inspect it.

I want to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments and housing referrals, counseling and other services are available to you.

Our Relocation Consultant will soon contact you to determine your needs and preferences. They will explain your rights and help you obtain the relocation payments and other assistance for which you are eligible. If you have any questions, please contact your Relocation Consultant.

[Name of Relocation Agent]  
**[Name of Relocation Firm]**  
[Address]  
[Phone Number]  
[Email Address]

Sincerely,

[Name]  
[Title]

ACKNOWLEDGEMENT RECEIPT:

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX E

**Sample Notice of Eligibility for Relocation Assistance**

Non-residential Occupant

[Date]

[Name]

[Mailing Address]

[Mailing City, State, Zip]

**NOTICE OF ELIGIBILITY FOR RELOCATION BENEFITS**  
**BUSINESS, FARM OR NONPROFIT ORGANIZATION**

Re: [Name of Displacee]  
[Site Address]  
[City, State, Zip]  
[Name of Project]  
LACMTA Parcel No. [Number]

Dear [Name], et al:

On [Date of Offer], the Los Angeles County Metropolitan Transportation Authority (“LACMTA”) made an offer to purchase the property you currently occupy located at [Address] for the construction of [Name of Project] (the “Project”).

To carry out the project, it will be necessary for you to move. You will be provided a 90-day written notice of the date by which you will be required to move.

As the eligible occupant of the property, you are protected under the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as Amended (“URA”) and may be entitled to certain benefits under the LACMTA’s Relocation Assistance Program. These benefits are outlined below.

As the occupant of the property, you are entitled to:

**1. RELOCATION ADVISORY ASSISTANCE:**

LACMTA will assist you search for a replacement location to conduct your business, farm or nonprofit operation. Information on and maps of available properties, typical real estate purchase and rental costs, and the services offered by other agencies in the area are also available. If you would like assistance, contact LACMTA’s relocation consultant.

**2. PAYMENT FOR ACTUAL MOVING AND RELATED EXPENSES:**

Business, farms and nonprofit organizations may be paid on the basis of actual reasonable moving and related costs and reestablishment expenses as LACMTA determines to be reasonable and necessary or, under certain circumstances, a fixed payment. The following moving expenses may be considered by LACMTA:

- A. Transportation of personal property limited to 50 miles or less. Distances beyond 50 miles are not eligible, unless LACMTA determines that relocation beyond 50 miles is justified.
- B. Packing, crating, unpacking, and uncrating of the personal property.



- C. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and certain substitute personal property. This includes connection to utilities available nearby. It also includes modifications to the personal property necessary to adapt it to the replacement site, including those mandated by Federal, State or local law, code or ordinance or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property.
- D. Connection to available utilities from the right-of-way to improvements at the replacement site.
- E. Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including, but not limited to, soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such a site). At LACMTA's discretion, a reasonable hourly rate may be established.
- F. Storage of personal property for a period not to exceed 12 months, unless LACMTA determines that a longer period is necessary.
- G. Insurance for the replacement value of personal property in connection with the move and necessary storage.
- H. Any license, permit, or certification required for your operation at the replacement location. However, the payment shall be based on the remaining useful life of existing license(s), permit(s) or certification(s) of your business.
- I. The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of your own, your agent, or your employee) where insurance covering such loss, theft, or damage is not reasonably available
- J. Professional services as LACMTA determines to be actual, reasonable and necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing relocated personal property at the replacement location
- K. Relettering signs and replacing stationery on hand at the time of displacement that is made obsolete as a result of the move
- L. Actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business or farm operation. The payment shall consist of the lesser of:
  - (1) The fair market value in place of the item, as is for continued use, less the proceeds from its sale; or
  - (2) The estimated cost of moving the item as is, but not including any allowance for storage or for reconnecting a piece of equipment, if the equipment is in storage or not being used at the acquired site. In calculating payment under section the reasonable cost incurred to sell shall be added to the determination of loss.
- M. Purchase of substitute personal property. If an item of personal property which is used as part of your operation is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, you will be entitled to payment for the lesser of:
  - 1.) The cost of the substitute item, including installation costs at the replacement site, less any proceeds from the sale or trade-in of the replaced items.
  - 2.) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by LACMTA, but with no allowance for storage.
- N. Searching for a replacement location. You are entitled to reimbursement for actual expenses, not to exceed \$2,500, as LACMTA determines to be reasonable, which are incurred in searching for a replacement location including:
  - 1.) Transportation
  - 2.) Meals and lodging away from home
  - 3.) Time spent searching, based on reasonable salary or earnings
  - 4.) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site
  - 5.) Time spent negotiating the purchase of a replacement site based on reasonable salary or earnings
  - 6.) Time spent in obtaining permits and attending zoning hearings

- O. High bulk/low Value will allow a payment for personal property that is worth less than the cost to move it to the replacement property as determined by LACMTA. The moving payment shall not exceed the amount which you would receive if the property were sold at the site.
- P. Other moving and related expenses as LACMTA determine to be reasonable and necessary.

### RELATED NONRESIDENTIAL ELIGIBLE EXPENSES

The following expenses, in addition to those provided above for moving personal property, shall be provided if the Agency determines that they are actual, reasonable and necessary:

- A. Connection to available nearby utilities from the right-of-way to improvements at the replacement site.
- B. Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including but not limited to, soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). At the discretion of the Agency a reasonable pre-approved hourly rate may be established.
- C. Impact fees or one time assessments for anticipated heavy utility usage, as determined necessary by the Agency.

**CAUTION:** In order to qualify for reimbursement of the above-described expenses, you MUST:

- A. Provide LACMTA with a certified list or inventory of the items to be moved at least thirty (30) days in advance of the start of your move;
- B. Notify LACMTA at least fifteen (15) days in advance of the date of the start of your move or disposition of your personal property;
- C. Permit LACMTA to monitor the move; and
- D. Permit LACMTA to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

Failure to comply with any of the above four (4) requirements may result in your losing part or all of your benefits.

You should also be aware that you are not entitled to payment, under the relocation regulations, for:

- The cost of moving any structure or other real property improvement in which you reserved ownership;
- Interest on a loan to cover moving expenses;
- Loss of goodwill;
- Loss of profits;
- Loss of trained employees;
- Personal injury; or
- Costs for storage of personal property on real property owned or leased by the displaced person.

You may move either by commercial mover or take full responsibility for all or part of the move. If you elect a "self-move", you must first obtain at least two (2) acceptable bids or estimates for your move.

- AND -



**3. REESTABLISHMENT EXPENSES:**

In addition to the payments available above, a small business, farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000, for the expenses actually incurred in relocating and reestablishing at a replacement site.

Reestablishment expenses must be reasonable and necessary as determined by LACMTA. They include, but are not limited to, the following:

- A. Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance
- B. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business
- C. Construction and installation costs for exterior signing to advertise the business
- D. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting
- E. Advertisement of replacement location
- F. Provisions of utilities from right-of-way to improvements at replacement site
- G. Licenses, fees and permits when not paid as part of moving expenses
- H. Estimated increased costs of operation during the first two years at the replacement site for such items as:
  - 1.) Lease or rental charges
  - 2.) Personal or real property taxes
  - 3.) Insurance premiums
  - 4.) Utility charges, excluding impact fees
- L. Other items that LACMTA considers essential to the reestablishment of the business.

You should be aware that you are not entitled to payment under reestablishment regulations for any of the following:

- Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation
- Interior or exterior refurbishment at the replacement site which are purely aesthetic in purpose except as paid in “d” above
- Interest on money borrowed to make the move or purchase the replacement property
- Part-time or home-based business which does not contribute materially to the household income

- OR -

**4. FIXED PAYMENT IN LIEU OF PAYMENT FOR ACTUAL AND RELATED EXPENSES AND REESTABLISHMENT EXPENSES:**

In lieu of a payment for actual moving and related expenses and reestablishment expenses, you may elect to receive an amount equal to your business’ recent average annual net earnings in an amount not less than \$1,000 or more than \$40,000. A displaced business is eligible for the payment if LACMTA determines that:



- A. The business owns or rents personal property which must be moved in connection with such displacement and for which an expense would be incurred in such move; and the business vacates or relocates from its displacement site
- B. The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A business is assumed to meet this test unless LACMTA determines that it will not suffer a substantial loss of its existing patronage.
- C. The business is not part of a commercial enterprise having more than three other entities which are not being acquired by LACMTA, and which are under the same ownership and engaged in the same or similar business activities.
- D. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
- E. The business is not operated at the displacement site solely for the purpose of renting the site to others.
- F. The business contributed materially to the income of the displaced person during the two taxable years prior to displacement.

You will have 18 months from the date you vacate the property which you currently occupy to submit claims for reimbursement of eligible relocation expenses.

If you lease or rent from the LACMTA, failure to pay necessary rental payments to LACMTA may reduce the relocation payment which you will receive.

Moving and related payments are not considered as income for the purposes of personal income tax laws. Relocation payments are normally made within sixty (60) days of the date that a completed claim is received by LACMTA.

LACMTA provides you with the right to appeal this determination and have your case reviewed or reconsidered in accordance with LACMTA’s appeals procedures. If you still believe a proper determination has not been made by LACMTA’s appeals process, you may seek judicial review. Complete details on the appeals process are available from your relocation consultant.

It is important that you understand the matters explained above which relate to your relocation assistance program eligibility. If at any time you would like assistance, please contact the following LACMTA Relocation Consultant:

[Name]  
**[Name of Relocation Firm]**  
 [Address]  
 [Phone Number]  
 [Email Address]

Sincerely,

[Name]  
 [Title]  
 Los Angeles County Metropolitan Transportation Authority

**ACKNOWLEDGMENT**

I was contacted by the Relocation Consultant for LACMTA. I have had the available relocation services and entitlements explained to me. I have been advised that LACMTA’s Relocation Agent will be available to assist me if any questions arise or as assistance is needed. I have received a copy of the Notice of Eligibility for Relocation Benefits for Business, Farm or Non-Profit Organization dated [Date of NOE].

[Name of Displacee] Date  
 [Address]  
 [Address]  
 LACMTA Parcel No. [Parcel Number]

## APPENDIX F

**Sample Ninety Day (90) Day Notice to Vacate**

Dear,

You are presently occupying certain premises owned by The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "METRO") located at \_\_\_\_\_.

It is necessary for us to ask you to move. However, in accordance with applicable relocation regulations and LACMTA's relocation policy, you shall be given at least ninety (90) days advance written notice from receipt of this Notice, or until \_\_\_\_\_ before you shall be required to move.

However, please be advised that you will not be required to move unless you have been given at least three (3) referrals to comparable housing.

If you find another suitable replacement dwelling, you may move before the end of the ninety-day (90) period. Remember to notify your Relocation Consultant before you move or sign a rental agreement so that it may be internally and externally inspected by the Relocation Consultant and qualify your replacement dwelling; also if you would like additional advisory assistance, or to find out if you will be entitled to receive any relocation payments.

Your Relocation Consultant and I know that it may be a hardship for you to move. Therefore, we will do all we can to make it as easy as possible. By planning and working together, we can achieve a common goal, a decent, safe and sanitary dwelling for you and your family

In the meantime, if you have any questions or require assistance, please contact your Relocation Consultant.

Sincerely,

---

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX G

**Sample Thirty Day (30) Day Notice to Terminate Tenancy**

Dear,

Previously you received a 90-Day Informational Notice advising that the Los Angeles County Metropolitan Transportation Authority (LACMTA) requires the property you occupy for the Purple Line (Westside) Subway Extension Project. In accordance with that letter, Notice is hereby given that LACMTA is now the owner of the property you occupy and has elected to terminate your tenancy of the premises situated in the City of \_\_\_\_\_, County of Los Angeles, State of California, and commonly known as \_\_\_\_\_; and you are hereby required to quit and deliver up possession of said premises on or before \_\_\_\_\_. If you fail to do so, LACMTA may institute legal proceedings against you to recover possession of said premises, with rents and damages.

We will continue to offer relocation assistance, and the Relocation Consultants, \_\_\_\_\_ of \_\_\_\_\_. May be contacted for that purpose at \_\_\_\_\_.

Sincerely,

[name]

[Title]

Los Angeles County Metropolitan  
Transportation Authority

Date of Personal Service:

O.P. Effective Date (if applicable):

Received By:



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## APPENDIXH

# Sample INFORMATIONAL BROCHURE FOR NON-RESIDENTIAL DISPLACEDS

## INTRODUCTION

This booklet describes the relocation payments and other relocation assistance which the **Los Angeles County Metropolitan Transportation Authority (LACMTA)** provides under the **Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA)** to businesses and non-profit organizations which may be required to move from real property, or move personal property from real property as a result of a LACMTA transit project.

If you are notified that you will be displaced, LACMTA's Relocation Consultant \_\_\_\_\_ (name of consultant) \_\_\_\_\_ will contact you personally. The consultant will answer your specific questions and provide additional information you may need. It is important that you do not move before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

*Pursuant to Public Law 105-117, non-residential displaces must certify that they are lawfully present in the United States if a Sole Proprietorship or Partnership, or must certify that the corporation is established pursuant to State Law and is authorized to conduct business in the United States.*

This booklet may not answer all of your questions. If you have more questions about your relocation, contact (consultant). Please refer to the bottom of this brochure for the name and telephone number of the person to contact. Ask questions before you move. Afterwards, it may be too late.

## SUMMARY OF RELOCATION ASSISTANCE

As an eligible displaced person, you will be offered the following advisory and financial assistance by (NAME OF AGENT) on behalf of METRO:

**Advisory Services** This includes referrals to suitable replacement locations, help in preparing claim forms for relocation payments, and other assistance to minimize the impact of the move.

**Payment for Moving and Reestablishment Expenses** Payments for moving, reestablishment, and related expenses fall into two general categories:

- **Payment for your actual reasonable moving and related expenses.** If you choose this payment, you may also be eligible for a **Payment for Reestablishment Expenses** up to \$25,000.

OR

- Certain persons are eligible to choose a **Fixed Payment** as an alternative to the payments for moving and reestablishment expenses.

## **GENERAL QUESTIONS**

### **How Will I know if I am Eligible for Relocation Assistance?**

You should receive a written notice explaining your eligibility for relocation assistance. You should not move before receiving that notice. If you do, you may not receive relocation assistance.

### **How Will LACMTA Know How Much Help I Need?**

You will be contacted at an early date and personally interviewed by your Relocation Consultant to determine your relocation needs and preferences for a replacement location and other services. The Relocation Consultant will ask about such matters as your space requirements. It is to your advantage to provide the information so that (NAME OF AGENT) can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

### **How Soon Will I Have to Move?**

Every reasonable effort will be made to provide you with sufficient time to find and reestablish your business in a suitable replacement location. If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice. It is important, however, that you keep in close contact with (NAME OF AGENT) so that you are aware of the time schedule for carrying out the project and the approximate date by which you will need to move.

### **How Will I Find a Replacement Location?**

(NAME OF AGENT) will provide you with information on currently available replacement locations.

While (NAME OF AGENT) will assist you in obtaining a suitable replacement location, you should take an active role in finding and relocating to a location of your choice. No one knows your needs better than you. You will want a facility that provides sufficient space for your planned activities. You will also want to assure that there are no zoning or other requirements which will unduly restrict your planned operations.

(NAME OF AGENT) will explain the kinds of moving and reestablishment costs that are eligible for repayment and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

### **What Other Assistance Will be Available to Help Me?**

In addition to help in finding a suitable replacement location, other assistance, as necessary, will be provided by METRO. This includes information on Federal, State and local programs that may be of help in reestablishing a business. For example, the Small Business Administration (SBA) provides managerial and technical assistance to some businesses. LACMTA will assist you in applying for help available from government agencies.

### **I Have a Replacement Location and Want to Move. What Should I Do?**

Before you make any arrangements to move, notify (NAME OF AGENT) in writing, of your intention to move. This should be done at least 30 days before the date you begin your move. (NAME OF AGENT) will discuss the move with you and advise you of the relocation payment(s) for which you may be eligible, the requirements to be met, and how to obtain payment.

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## I Own This Property. Will I Be Paid For It Before I Have to Move?

If you reach a negotiated agreement to sell your property to METRO, you will not be required to move before you receive the agreed upon purchase price. If the property is acquired through an eminent domain proceeding, you cannot be required to move before the estimated fair market value of the property has been deposited with the State Treasurer with the court and an Order for Possession is obtained through the court. (You should be able to withdraw this amount immediately, less any amounts necessary to pay off any liens on the property and to resolve any special ownership problems. Withdrawal of your share of the money will not affect your right to seek additional compensation for your property.)

## What type of Relocation Assistance Payments are Available to a Displaced Business?

### *Payment for Actual Reasonable Moving and Related Expenses*

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the reasonable and necessary costs for:

- Transportation of personal property from your present location to the replacement location up to a distance of 50 miles
- Packing, crating, uncrating, and unpacking the personal property
- Disconnecting, dismantling, removing, reassembling, and installing relocated and “substitute” machinery, equipment and other personal property. This includes connection to utilities available nearby. It also includes modifications to the personal property that are necessary to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site and modifications necessary to adapt the utilities at the replacement site to the personal property.
- Storage of personal property not to exceed 12 months (at the discretion of METRO)
- Insurance for the replacement value of your property during the move and necessary storage
- Any license, permit, or certification which you are required to pay at the replacement location. However, cost must be reasonable and necessary for reestablishment at the replacement location and the payment may be based on the remaining useful life of the existing license, permit, or certification.
- The replacement value of property lost, stolen, or damaged in the process of moving (not through your fault or negligence) where insurance covering such loss, theft, or damage is not reasonably available
- Professional services necessary for (1) planning the move of the personal property, (2) moving the personal property, or (3) installing relocated or “substitute” personal property at the replacement location.
- Reentering signs and replacing stationery on hand when you move that are made obsolete as a result of the move.
- ***The actual direct loss of tangible personal property.*** This payment provides compensation for personal property that is neither moved nor promptly replaced at the replacement location. Payment is limited to the **lesser** of (1) The estimated cost of moving and reinstalling the personal property **or** (2) the market value of the property for its continued use at the old location, less any proceeds from its sale. To be eligible, you must make a good faith effort to sell the property, unless LACMTA determines that such effort is not necessary. The reasonable cost incurred in attempting to sell an item that is not to be moved may be reimbursable.
- ***Purchase and installation of “substitute” personal property.*** This payment is made with an item of personal property is not moved but is promptly replaced with a substitute item that performs a

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comparable function at the replacement site. Payment is limited to the **lesser** of (1) the estimated cost of moving and reinstalling the item **or** (2) the actual cost of the substitute item delivered and installed at the replacement location, less any proceeds from the sale or trade-in of the replaced item.

- Searching for a replacement location. This payment may not exceed \$2,500 and covers costs for your transportation expenses, time spent searching for a replacement location, reasonable fees paid to a real estate consultant or broker to find a replacement location (not fees related to the purchase of the site), and meals and lodging away from home, if required.
- Expenses for providing utilities from the right-of-way to the building.
- Impact fees or one-time assessments for anticipated heavy utility usage.

#### *Related Nonresidential Eligible Expenses*

The following expenses, in addition to those provided above for moving personal property, shall be provided if the Agency determines that they are actual, reasonable and necessary:

- Connection to available nearby utilities from the right-of-way to improvements at the replacement site.
- Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including but not limited to, soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). At the discretion of the Agency a reasonable pre-approved hourly rate may be established. (See appendix A, § 24.303(b).)
- Impact fees or one time assessments for anticipated heavy utility usage, as determined necessary by the Agency.

#### **It is important that you discuss your plans with your Relocation Agent before you proceed.**

Your Relocation Agent will explain all eligible moving and related costs, as well as those that are not eligible. You must be able to account for all costs that you incur, so keep all your receipts. The relocation agent will inform you of the documentation needed to support your claim.

You may minimize the amount of documentation needed to support your claim if you elect to "self-move" your personal property. Payment for a self-move is based on the amount of an acceptable low bid or estimate obtained by Relocation Agent. If you elect a self-move, you may move your personal property using your own employees and equipment or a commercial mover.

You may elect to pay your moving costs yourself and be repaid by LACMTA or, if you prefer, you may have LACMTA pay the mover. In either case, select your mover with care. The Relocation Agent can help you select a reliable and reputable mover.

Also, keep the Relocation Agent informed about your moving plans. You must provide the Relocation Agent with reasonable advance written notice of the date of the start of your move or disposition of your personal property and a list of the items you plan to move. In addition, you must permit the Relocation Agent to make reasonable and timely inspections of the personal property at the old and new locations and to monitor the move.

When a payment for "actual direct loss of personal property" or "substitute personal property" is made for an item, the estimated cost of moving the item will be based on the lowest acceptable bid or estimate obtained by the Relocation Agent. If not sold or traded in, you must transfer ownership of the item to LACMTA in order to receive the payment.

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### What is a Payment for Reestablishment Expenses?

If you choose to receive a payment for your actual moving and related expenses, you may also be eligible to receive a payment for **Reestablishment Expenses**, not to exceed \$25,000. Such expenses include the reasonable and necessary cost of:

- Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.
- Modifications to the replacement property to accommodate the business operation or make a replacement structure suitable for conducting your business.
- Construction and installation costs for exterior signs to advertise your business
- Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting.
- Advertisement of the replacement location
- Estimated increased costs of operation during the first 2 years at the replacement site for such items as lease or rental charges, personal or real property taxes, insurance premiums, and utility charges (excluding impact fees).
- Other items that the agency considers essential to the reestablishment of the business.

### What Costs are Ineligible under Relocation Assistance Program?

- Purchase of capital assets, such as office furniture, filing cabinets, machines or trade fixtures.
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.
- Interior or exterior refurbishments at the replacement site which are purely aesthetic in purpose.
- Interest on money borrowed to make the move or purchase the replacement property.
- Payment to a part-time home based business which does not contribute materially to the household income.
- Costs for storage of personal property on real property owned or leased by the displaced person.
- The cost of moving any structure or other real property improvement in which you reserved ownership.
- Interest on a loan to cover moving expenses.
- Loss of goodwill.
- Loss of profits.
- Loss of trained employees.
- Personal injury.



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## What is a Fixed Payment?

Certain businesses and nonprofit organizations are eligible to obtain a Fixed Payment *instead of* a payment for actual reasonable moving and related expenses and a payment for reestablishment expenses, described above. The Fixed Payment to a business is based on the average annual net earnings of the business operation; the Fixed Payment to a nonprofit organization is based on average annual expenses and revenue. A Fixed Payment will not be less than \$1,000 or more than \$40,000.

To qualify for a Fixed Payment a displaced business or nonprofit organization must:

- III. Own or rent personal property which must be moved from the displacement site
- (2) Be unable to relocate without a substantial loss of existing patronage (measured in terms of clientele or net earnings)
- (3) Not be a part of a commercial enterprise having more than three other entities under the same ownership, engaged in the same or similar business activities that are not being acquired by METRO. (Also, certain rental businesses are excluded.)

Ordinarily, to be eligible for the minimum Fixed Payment, your business must have had average annual gross receipts of at least \$5,000 or had average annual net earnings of at least \$1,000, or contributed 1/3 of the your business's average gross income for the two tax years prior to displacement. METRO, however, may use other criteria if it determines that the calculation would cause an inequity or hardship.

The Relocation Agent will inform you as to your eligibility for this payment and the documentation you must submit to support your claim.

When you elect to take this payment, you are not entitled to reimbursement for any other moving expenses.

## Must I File a Claim to Obtain a Relocation Payment?

Yes. You must file a claim for each relocation payment. The Relocation Agent will provide you with the required claim form, help you to complete it, and explain the type of documentation, if any, that you must submit in order to receive the payment.

If you must pay any relocation expenses before you move (e.g., a security deposit when you lease a new location), discuss your needs with your Relocation Agent. You may be able to obtain an advance payment.

If you are a tenant, you must file your claim within 18 months after the date you move. If you are displaced from property that you own, you must file within 18 months after the later of the date you move, or the date you receive the final acquisition payment. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, ask LACMTA to extend this period.

You will be paid promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified in writing of the problem and the action you must take to resolve the matter.



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**Will I Have to Pay Rent to LACMTA Before I Move?**

If LACMTA acquires your property and you are allowed to remain on the property for a period of time, you will be required to pay a fair rent to LACMTA for the period between the acquisition of your property and the date that you move. Such rent will not exceed the market rent for comparable properties in the area.

**Do I Have to Pay Federal Income Taxes on My Relocation Payments?**

No. Section 216 of the URA states that you need not report relocation payments as part of your gross income for Federal Tax purposes. For information on State income taxes, you should check with the California Franchise Tax Board or with your personal tax advisor.

**If I Don't Receive the Required Assistance, Can I Appeal?**

Yes. If you disagree with LACMTA's decision as to your right to relocation assistance or the amount of a relocation payment, you may appeal the decision to METRO. Your Relocation Consultant will inform you of the appeal procedures. At a minimum, you will have 60 days to file your appeal with LACMTA after you receive written notification of LACMTA's determination of your claim. Your appeal must be in writing. If you need help, your Relocation Consultant will assist you in preparing your appeal.

You can expect a fair decision on any appeal. However, if you are not satisfied with the final administrative decision on your appeal, you may seek review of the matter by the courts.

**I have More Questions. Who Will Answer Them?**

If you have further questions after reading this brochure, contact LACMTA's Relocation Consultant (NAME) and discuss your concerns with a representative.

Name of consultant:

Attn:

Address

Phone #

E-mail address

## Sample INFORMATION BROCHURE FOR RESIDENTIAL OWNERS AND TENANTS

### INTRODUCTION

This booklet describes the relocation payments and other relocation assistance that the **Los Angeles County Metropolitan Transportation Authority (LACMTA)** provides under the **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA)** to tenants who may be required to move from their homes as a result of a LACMTA transit project.

If you are required to move as a result of a LACMTA project, a LACMTA Relocation Consultant will contact you personally. The counselor will answer your specific questions and provide additional information you may need. It is important that you do not move before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

This booklet may not answer all of your questions. If you have more questions about your relocation, contact METRO. (Check the back of this brochure for the name and telephone number of the person to contact.) Ask questions before you move. Afterwards, it may be too late.

### SUMMARY OF RELOCATION ASSISTANCE

As an eligible tenant displaced from your home, you will be offered the following advisory and financial assistance by LACMTA's relocation counselors:

**Advisory Services.** This includes referrals to comparable and suitable replacement homes, the inspection of replacement housing to ensure that it meets established standards, help in preparing claim forms for relocation payments, and other assistance to minimize the impact of the move.

**Payment for Moving Expenses.** You may choose either a:

- Payment for your actual reasonable moving and related expenses,
- OR
- Fixed moving expense and dislocation allowance.

**Replacement Housing Assistance.** To enable you to rent, or if you prefer, buy a comparable or suitable replacement home, you may choose either:

- Rental Assistance, or
- Purchase Assistance

### GENERAL QUESTIONS

#### ***How Will I know If I am Eligible for Relocation Assistance?***

Generally, you must have actually and lawfully occupied the dwelling being acquired by LACMTA for at least 90 days immediately prior to the date LACMTA makes its offer to the owner to purchase the property. You will receive a written notice from LACMTA explaining your eligibility for relocation assistance. You should not move before receiving that notice. If you do, you may not receive relocation assistance.

### ***How Will LACMTA Know How Much Help I Need?***

You will be contacted at an early date and personally interviewed by a Relocation Consultant to determine your relocation needs and preferences for replacement housing and advisory services. The relocation counselor will ask certain questions about you and other members of your household, including questions about your income. It is to your advantage to provide the information so that LACMTA can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

### ***How Soon Will I Have to Move?***

If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice of (1) at least one comparable replacement home that is available to you, and (2) the earliest date by which you must move.

### ***What is a Comparable Replacement Home?***

A comparable replacement home is:

- Decent, safe and sanitary
- Functionally equivalent to (and equal or better than) your present home
- Actually available for you to rent
- Within your financial means
- Reasonably accessible to your place of employment
- Generally as well located with respect to public and commercial facilities, such as schools and shopping, as your present home
- Not subject to unreasonable adverse environmental conditions
- Available to all persons regardless of race, color, religion, sex or national origin.

### ***What is Decent, Safe and Sanitary Housing?***

Decent, safe and sanitary housing is housing that:

- Meets applicable housing and occupancy requirements
- Is structurally sound, weather tight, and in good repair
- Contains a safe, adequate electrical wiring system
- Has adequate living space for the occupants
- Has a kitchen with a sink, hot and cold running water, and connections for a stove and refrigerator (if you were displaced from a housekeeping unit).
- Has a separate, complete bathroom with hot and cold running water
- Has heating as required by climatic conditions
- Has an unobstructed exit to safe, open space at ground level
- Meets standards protecting occupants from lead-based paint hazards

- If you are physically handicapped, is free of any barriers which would preclude your reasonable use of the unit.

### ***Will LACMTA Help Me Find a Replacement Home?***

**YES.** Your Relocation Consultant will provide you with referrals to housing that has been inspected to ensure that it meets established standards. If possible, you will be referred to at least three comparable replacement homes. The maximum financial assistance for which you may qualify will be based on the cost of the most representative comparable replacement home that is available to you. Promptly after you become eligible for relocation assistance, LACMTA will inform you of such unit and the maximum payment available.

Once your Relocation Consultant has a clear understanding of your needs and preferences, he or she will work with you to assure that you are given the best possible choice of housing. LACMTA will offer you appropriate transportation to inspect these units.

### ***What If I Find My Own Replacement Housing?***

You have every right to find your own replacement housing. However, before you rent or buy, ask your relocation counselor to inspect the unit to make sure that it is decent, safe and sanitary. If the housing unit is not decent, safe and sanitary, you may not receive a replacement housing payment.

### ***What If I Encounter a Problem in Obtaining Housing of My Choice?***

If you encounter a problem in buying or renting housing of your choice, notify LACMTA immediately. LACMTA will look into the matter and try to resolve it. You will receive this help whether you were referred to the housing unit or found it yourself.

### ***What Other Services Will I Receive?***

In addition to help in obtaining a comparable replacement home, other assistance, as necessary, will be provided in order to minimize the impact of your move. This assistance may include referrals to appropriate public and private agencies that provide services concerning housing financing, employment, health, welfare, or legal assistance. The range of services depends on the needs of the person being displaced. You should ask your relocation counselor to tell you about the specific services that will be available to help you and your family.

### ***What Is a Payment for Actual Reasonable Moving and Related Expenses?***

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the reasonable and necessary costs for:

- Transportation for you and your household goods up to a distance of 50 miles
- Packing and unpacking your household goods
- Disconnecting and reconnecting household appliances and other personal property (telephone and cable TV).
- Storage of household goods, as may be necessary
- Insurance for the replacement value of your property during the move and necessary storage
- The replacement value of property lost, stolen or damaged in the move (but not through your neglect) if
- Insurance is not readily available.



LACMTA will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for any costs that you incur, so keep all your receipts. Select your mover with care. LACMTA can help you select a reliable and reputable mover.

You may elect to pay your moving costs yourself and be repaid by LACMTA or, if you prefer, you may have LACMTA pay the mover. In either case, let LACMTA know before you move.

### ***What is a Fixed Moving Expense and Dislocation Allowance?***

If you choose a Fixed Moving Expense and Dislocation Allowance, you will receive an allowance which is based on the number of rooms in your home or the number of rooms of furniture you will be moving, as shown on a schedule. LACMTA has a copy of the schedule and will help you decide whether choosing this allowance is in your best interest.

If you do not have a large amount of personal property to move, this payment should be more advantageous. No special documentation is required to support your claim. You need only move your personal property and complete the appropriate claim form in order to receive your payment.

### ***How Much Rental Assistance Will I Receive?***

You may be eligible to receive Rental Assistance for a 42-month period. The assistance is computed in the following manner:

The assistance needed for one month is determined by subtracting the “base monthly rent” for your present home from the cost of rent and utilities for your new home (or a comparable replacement home, if that cost is lower). That monthly need, if any, is multiplied by 42, to determine the total amount that you will receive. This amount will be paid directly to you. You may choose to receive your payments in monthly installments, other periodic payments, or in a lump sum.

Generally, the “base monthly rent” for your present home is the ***lesser of:***

IV. The monthly rent and average monthly cost for utilities,

OR

(2) thirty percent (30%) of your average monthly gross household income.

**Examples:** Let’s say that the monthly rent and average cost for utilities for your present home amount to \$1,100; the monthly rent and estimated average utility costs for a comparable replacement home are \$1,200; and your monthly gross income is \$3,000. In this case your “base monthly rent” would be \$900 because that amount (30% of your income) is less than the monthly cost of rent and utilities at your present home (\$1,100).

- If comparable replacement dwelling is available to you for \$1,250 per month, including estimated average monthly utility charges, you will be eligible for a *maximum* rental assistance payment of \$14,700. That amount is 42 times \$350 (the difference between the “base monthly rent” for your present home, \$900, and the cost of a comparable replacement home, \$1,250).
- If you rent an actual replacement dwelling for \$1,150 per month, including estimated average monthly utility charges, you will receive \$10,500. That amount is 42 times \$250 (the difference between the “base monthly rent” for your present home, \$900, and the actual monthly housing cost of your replacement dwelling, \$1,150).

To qualify for rental assistance, you must rent and occupy a decent, safe and sanitary dwelling within one year after the date you move. LACMTA may extend this period for good cause.



### ***If I Decide to Buy, Rather Than Rent, How Much Assistance Will I Receive?***

If you elect to buy a replacement home, instead of renting, you may be eligible for assistance to make a down payment equal to the amount you would receive if you rented a comparable replacement home. The full amount of the payment must be applied to the purchase of your replacement dwelling. Your Relocation Consultant will assist you in determining whether you can qualify for a down payment assistance payment.

### ***Must I File a Claim to Obtain a Relocation Payment?***

Yes. You must file a claim for each relocation payment. LACMTA will provide you with the required claim form, help you to complete it, and explain the type of documentation, if any, that you must submit in order to receive the payment.

Remember, your Relocation Consultant must inspect your replacement housing to assure it meets decent, safe and sanitary standards before a claim for payment can be approved.

If you must pay any relocation expenses before you move (e.g., a security deposit when you sign a lease for your new home), discuss your financial needs with your Relocation Consultant. You may be able to obtain an advance payment to meet these costs.

You must file your claim within 18 months after the date you move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, ask LACMTA to extend this period.

### ***Will I Have to Pay Rent to LACMTA Before I Move?***

If LACMTA purchases the property in which you live, you will be required to pay a fair rent to LACMTA for the period between the acquisition of the property and the date that you move. Such rent will not exceed the market rent for comparable properties in the area.

### ***Do I Have to Pay Federal Income Taxes on My Relocation Payments?***

No. Section 216 of the URA states that you need not report relocation payments as part of your gross income for Federal Tax purposes. For information on State income taxes, you should check with the California Franchise Tax Board or with your personal tax advisor.

### ***If I Don't Receive the Required Assistance, Can I Appeal?***

Yes. If you disagree with LACMTA's decision as to your right to relocation assistance or the amount of a payment, you may appeal the decision to METRO. Your Relocation Consultant will inform you of the appeal procedures. At a minimum, you will have 60 days to file your appeal with LACMTA after you receive written notification of LACMTA's determination of your claim. Your appeal must be in writing. If you need help, your relocation counselor will assist you in preparing your appeal.

You can expect a fair decision on any appeal. However, if you are not satisfied with the final administrative decision on your appeal, you may seek review of the matter by the courts.

### ***I have More Questions. Who Will Answer Them?***

If you have further questions after reading this brochure, contact LACMTA and discuss your concerns with a LACMTA Relocation Consultant.

## LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY



This booklet was prepared for you as the owner of property to be appraised in connection with a possible purchase by the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO). This information will help explain our acquisition procedures and also the rights and options available to you as the owner of the property. A representative from the LACMTA **Real Estate Department** will be assigned to work with you throughout the acquisition process.

If you have any questions about the transit project or the acquisition procedures that are discussed here, please contact the assigned Real Estate Officer.

We hope this booklet will answer some of your questions and present a better picture of LACMTA's overall procedures.

### ***WHY DOES A PUBLIC AGENCY HAVE THE RIGHT TO BUY MY PROPERTY?***

Our State and Federal Constitutions recognize the need for public agencies to purchase private property for public use, and provide appropriate safeguards to accomplish this purpose. State and Federal Constitutions and the Uniform Relocation Assistance and Real Property Acquisition Policies Act authorize purchase of private property for public use and assure full protection of the rights of each citizen.

From time to time, the Los Angeles County Metropolitan Transportation Authority (“METRO”) must acquire property in order to provide new or expanded transit facilities. This brochure has been prepared to inform property owners and other affected persons as to the acquisition policies and procedures followed by METRO. It is the intent of this brochure to address commonly asked questions and discuss the various steps involved when property is acquired for public purposes.

The information included is provided pursuant to the requirements of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, the Federal Transit Administration implementing guidelines, as well as the State of California land acquisition laws.

It is the policy of LACMTA that all services and/or benefits to be derived from any real property acquisition activity will be administered without regard to race, color, national origin or sex, in accordance with Section 601 of Title VI, Civil Rights Act of 1964, which states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

### ***WHO WILL CONTACT ME?***

Appraisal and purchase of properties needed for the transit project is the responsibility of the Real Estate Department of METRO. A Real estate professional from LACMTA will be assigned to work with you throughout the acquisition process and will assist you and give you general information about the project.

### ***HOW WILL MY PROPERTY BE VALUED?***

LACMTA will determine the value of your property based on an appraisal of your property. The appraisal may be prepared by an independent fee appraiser or a LACMTA staff appraiser. The appraiser will analyze your property and examine all of the features that contribute to its value. Information about improvements you have made and any other special features that you believe may affect the value of your property should be given to the appraiser to ensure a fair value is assigned to your property. You or your representative is encouraged to accompany the appraiser during the inspection of your property. Every effort will be made to schedule a mutually agreeable time. The appraiser will welcome any information that you believe may increase the value of your property. In a situation where the area to be acquired is very small and the value determination is nominal, an appraisal may not be prepared.

If the property is a commercial site, a fixtures and equipment appraiser will also be retained to determine the value of machinery and fixtures and equipment used in connection with your business.

It is the duty of LACMTA to ensure that you receive the “fair market value” of your property. LACMTA will not ask an owner to sell his or her property for less than the fair market value as determined by a qualified appraiser. If the property is an owner-occupied residential property containing no more than four residential units, California law provides that the owner, upon request, may review a copy of the appraisal upon which the offer is based.



Pursuant to Code of Civil Procedure Section 1263.025, should you elect to obtain an independent appraisal of your property, LACMTA will pay for actual, reasonable appraisal costs up to Five Thousand Dollars (\$5,000), subject to the following conditions:

- a. You, not METRO, must order the appraisal. Should you enter into a contract with the selected appraiser, LACMTA will not be a party to the contract;
- b. The selected appraiser must be licensed with the Office of Real Estate Appraisers (OREA) in California;
- c. Your request for appraisal cost reimbursement must be made in writing and submitted to LACMTA at the address shown on this letter within ninety (90) days of the earliest of the following dates:
  - 1.) The date the selected appraiser requests payment from you for the appraisal;
  - 2.) The date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal.

Upon receipt of the written request as specified above, payment of actual, reasonable appraisal costs up to \$5,000 will be made.

#### ***WHAT HAPPENS AFTER I ACCEPT LACMTA'S OFFER?***

Real estate purchased by LACMTA is handled in generally the same way as any private sale of property. Once agreement is reached on the purchase price and a Purchase and Sale Agreement is executed, LACMTA will prepare and process the necessary transactional documents and payment to the property owner for the real property rights acquired. LACMTA may use the services of an escrow or title company to process the purchase, and you will receive a check from the escrow company for any proceeds of the sale.

LACMTA will pay all escrow, title expenses and closing costs. Nothing will be deducted for title costs, preparation of documents, title policy, or recording fees required in closing the sale. LACMTA will pay these expenses.

#### ***WILL I RECEIVE RELOCATION BENEFITS?***

If you are an owner-occupant, you may be eligible for relocation benefits and assistance if LACMTA's acquisition requires that you relocate. (These benefits are described in supplemental booklets which will be provided to you.) Tenants may also be eligible for relocation benefits and assistance. The Relocation Assistance Program will be described in detail to all eligible persons at the time an offer is made to purchase the property, or shortly thereafter.

#### ***WHAT IF I DO NOT ACCEPT LACMTA'S OFFER?***

Every effort will be made to reach an agreeable settlement for the acquisition of your property. However, if agreement cannot be reached after a reasonable time, LACMTA will follow the State of California eminent domain laws, and initiate a formal condemnation process to acquire your property. This process is meant to protect you, by allowing a court to determine the fair market value of your property. However, even after a condemnation action has been filed, the parties may continue to negotiate in an attempt to reach agreement before the condemnation action goes to trial. For more information on the Eminent Domain Process in California, please refer to the attached **Appendix A – Eminent Domain Information Pamphlet**.



***WILL I HAVE TIME TO SELECT ANOTHER HOME OR BUSINESS LOCATION AFTER LACMTA MAKES ITS PURCHASE?***

You will not be required to move until reasonable, comparable replacement housing is available or you have been given referrals to replacement sites for your business. LACMTA will retain a Relocation Consultant to provide assistance to you in finding a place to live or conduct your business. All lawful occupants of the property will be given at least 90 days written notice before being required to move.

***WHAT HAPPENS TO THE LOAN ON MY PROPERTY?***

After you and LACMTA have agreed upon a price, a LACMTA representative will contact all other parties having an interest in the property. Payment toward any outstanding loans or liens will be deducted from the purchase price and will be made directly or through an escrow as in a typical real estate transaction.

***WHAT WILL HAPPEN TO MY G1 OR CAL-VET LOAN?***

The Veterans Administration and the California Department of Veterans Affairs allow your veteran loan privileges to be transferred and to become available for coverage on another property.

Your Real Estate Officer will assist you; however, it is to your benefit and it is your responsibility to check with the Veterans Administration or the California Department of Veterans Affairs for procedural instructions.

***IF THE VALUE OF MY PROPERTY IS HIGHER TODAY THAN WHEN I PURCHASED IT, DO I HAVE TO PAY INCOME TAX ON THIS DIFFERENCE WHEN I CONVEY TO METRO?***

According to the Internal Revenue Service, the sale of property to a governmental agency for public purposes comes under the definition of an “involuntary conversion.” In these cases, it is not necessary to pay income tax or capital gains tax if the money you receive is used to buy a similar property within a limited period of time. In every case, however, you should check with your local Internal Revenue Service Office and/or your tax or financial advisor.

***HOW LONG CAN I REMAIN ON THE PROPERTY?***

You will not be required to move until LACMTA has either acquired title to the property as a result of a purchase agreement or the court has issued an Order of Possession in a condemnation action. Depending on the needs of the Project and the construction, you may be permitted to stay on the property and pay rent to METRO. Fair market rent will be charged.

The LACMTA Real Estate officer assigned to work with you throughout the acquisition process will be available to answer any questions and provide whatever assistance you may need along the way.

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

**Real Estate Department  
One Gateway Plaza  
MAIL STOP 99-22-8  
Los Angeles, California 90012-2952  
(213) 922-2404**

Property Owner's Information Pamphlet  
On the Use of Eminent Domain in California  
(A Summary of the Process and Owner's rights)

## V. Introduction

Eminent domain is the power of the government to purchase private property for a “public use” so long as the property owner is paid “just compensation.” Whenever possible, the Los Angeles County Metropolitan Transportation Authority (“METRO”) tries to avoid use of the eminent domain power, exercising it only when it is necessary for a public project. The decision to acquire private property for a public project is made by LACMTA only after a thorough review of the project, which often includes public hearings.

This pamphlet provides general information about the eminent domain process and the rights of the property owner in that process.<sup>1</sup>

- **What is a “public use”?**

A “public use” is a use that confers public benefits, like the provision of public services or the promotion of public health, safety, and welfare. Public uses include a wide variety of projects such as street improvements, construction of water pipelines or storage facilities, construction of civic buildings, redevelopment of blighted areas, and levee improvements to increase flood protection. Some public uses are for private entities, such as universities, hospitals and public utilities, which serve the public.

- **What is “just compensation”?**

Just compensation is the **fair market value** of the property being acquired by the government. The state law definition of fair market value is “the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.”

## II. The Eminent Domain Process and the Property Owner’s Rights

The eminent domain process begins with a public use project. When selecting a project location, the goal is to render the greatest public good and the least private injury or inconvenience. If it is determined that all or a portion of your property may be necessary for a public use project, LACMTA will begin the appraisal process to determine the property’s fair market value.

- **How is the fair market value of my property determined?**

LACMTA will retain an independent, licensed appraiser familiar with local property values to appraise your property. The appraiser will invite you to accompany him or her during an inspection of your property. You may give the appraiser any information about improvements and any special features that you believe may affect the value of your property. It is in your best interest to provide the appraiser with all the useful information you can in order to ensure that nothing of value will be overlooked. If you are unable to meet with the appraiser, you may wish to have a person who is familiar with your property meet with the appraiser instead.

After the inspection, the appraiser will complete an appraisal that will include the appraiser’s determination of your property’s fair market value and the information upon which the fair market value is based. The

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<sup>1</sup> This pamphlet reflects the current law as of January 1, 2008. However, the information in this pamphlet is not, nor should it be construed as, legal advice. You should consult with qualified legal counsel regarding your specific situation rather than relying on this pamphlet as legal advice.

appraiser will provide LACMTA with the appraisal. LACMTA will then make a written offer to purchase the property which will include a summary of the appraisal. The offer will be for no less than the amount of the appraisal.

- **What factors does the appraiser consider in determining fair market value?**

Each parcel of real property is different and, therefore, no single formula can be used to appraise all properties. Among the factors an appraiser typically considers in estimating fair market value are:

- The location of the property;
- The age and condition of improvements on the property;
- How the property has been used;
- Whether there are any lease agreements relating to the property;
- Whether there are any environmental issues, such as contaminated soil;
- Applicable current and potential future zoning and land use requirements;
- How the property compares with similar properties in the area that have been sold recently;
- How much it would cost to reproduce the buildings and other structures, less any depreciation; and
- How much rental income the property produces, or could produce if put to its highest and best use.

- **Will I receive a copy of the appraisal?**

LACMTA is required to provide you with its purchase offer, a summary of the appraiser's opinion, and the basis for LACMTA's offer. Among other things, this summary must include:

- A general statement of LACMTA's proposed use for the property;
- An accurate description of the property to be acquired;
- A list of the improvements covered by the offer;
- The amount of the offer; and
- The amount considered to be just compensation for each improvement which is owned by a tenant and the basis for determining that amount.

However, LACMTA is only required to show you a copy of the full appraisal if your property is an owner-occupied residential property with four or fewer residential units. Otherwise, LACMTA may, but is not required to, disclose its full appraisal during negotiations (though different disclosure requirements apply during the litigation process if the issue of fair market value goes to court).

- **Can I have my own appraisal done?**

Yes. You may decide to obtain your own appraisal of the property in negotiating the fair market value with METRO. At the time of making its initial offer to you, LACMTA must offer to reimburse you the reasonable costs, not to exceed \$5,000, of an independent appraisal of your property. To be eligible for reimbursement, the independent appraisal must be conducted by an appraiser licensed by the State Office of Real Estate Appraisers.

- **What advantages are there in selling my property to METRO?**

A real estate transaction with LACMTA is typically handled in the same way as the sale of private property. However, there may be a financial advantage to selling to METRO.

- You will not be required to pay for real estate commissions, title costs, preparation of documents, title policy, or recording fees required in closing the sale. LACMTA will pay all these costs.
- Although LACMTA cannot give you tax advice or direction, you might also be eligible for certain property and income tax advantages. You should check with the Internal Revenue Service (IRS) for details or consult your personal tax advisor.
- **If only a portion of my property is taken, will I be paid for the loss to my remaining property?**

In general, when only a part of your property is needed, every reasonable effort is made to ensure you do not suffer a financial loss to the “remainder” property. LACMTA will pay you the fair market value of the property being taken as well as compensation for any loss in value to your remaining property that is not offset by the benefits conferred by the project. The compensation for the loss in value to your remaining property is often referred to as “severance damages.”

Also, if any remaining part is of such a size, shape, or condition as to be of little market value, LACMTA will offer to acquire that remaining part (or remnant) from you, if you so desire.

- **Will I be compensated for loss of goodwill to my business?**

If you are the owner of a business that is conducted on the property being acquired, you may have a right to compensation for lost business goodwill if the loss is caused by the acquisition of the property. “Goodwill” consists of the benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality, and any other circumstances resulting in probable retention of old or acquisition of new patronage.

- **What will happen to the loan on my property?**

Where LACMTA is acquiring the entire property, generally the compensation payable to the owner is first used to satisfy outstanding loans or liens as in a typical real estate transaction. Where less than the entire property is being acquired, whether outstanding loans or liens are paid from the compensation will depend on the particular facts and circumstances.

- **Do I have to sell at the price offered?**

No. If you and LACMTA are unable to reach an agreement on a mutually satisfactory price, you are not obligated to sign an offer to sell or enter into a purchase agreement.

- **If I agree to accept LACMTA’s offer, how soon will I be paid?**

If you reach a voluntary agreement to sell your property or an interest in the property to METRO, payment will be made at a mutually acceptable time. Generally, this should be possible within 30 to 60 days after a purchase/sale contract is signed by all parties.

- **What happens if we are unable to reach an agreement on the property’s fair market value?**

METRO, to the greatest extent practicable, will make every reasonable effort to acquire your property by negotiated purchase. If, however, the negotiations are unsuccessful, LACMTA may either file an eminent domain action in a court located within the same county where your property is located or it may decide to abandon its intention to acquire the property. If LACMTA abandons its intention to acquire, it will promptly notify you.

If LACMTA proceeds with eminent domain, the first step is for LACMTA staff to request authority from the LACMTA Board of Directors (“Board”) to file a condemnation action. The approval from the Board is called a “Resolution of Necessity.” In considering whether condemnation is necessary, the Board must determine whether the public interest and necessity require the project, whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury, and whether your property is necessary for the project. You will be given notice and an opportunity to appear before the Board when it considers whether to adopt the Resolution of Necessity. You may want to call an attorney or contact an attorney referral service right away. You or your representatives can raise any objections to the Resolution of Necessity and the condemnation either orally before the Board or in writing to the Board.

If the Board adopts the Resolution of Necessity, LACMTA can file a complaint in court to acquire title to the property upon payment of the property’s fair market value. LACMTA is the plaintiff. Anyone with a legal interest in the property, generally determined from a title report on the property (including tenants or mortgage holders), are named as defendants. Often, LACMTA will also deposit the amount LACMTA believes is the “probable amount of compensation” with the State Treasurer where the complaint is filed. A deposit must be made if LACMTA is seeking to acquire possession of the property before agreement is reached on the fair market value.

- **Can LACMTA acquire possession of my property before the property’s fair market value is determined in the eminent domain lawsuit?**

In some cases, LACMTA may decide it needs possession of the property before the property’s fair market value is finally determined. In such a case, LACMTA must apply to the court for an “order for possession” to allow it to take possession and control of the property prior to resolution of the property’s fair market value. LACMTA is required to schedule a hearing with the court on the proposed order for possession and to give you notice of the hearing. Notice must generally be sent at least 90 days before the hearing date if the property is occupied and 60 days before the hearing date if the property is unoccupied. A judge will decide whether the order for possession should be granted. As noted above, LACMTA must deposit with the State Treasurer the probable amount of just compensation in order to obtain possession of the property.

- **Can I oppose the motion for an order for possession?**

Yes. You may oppose the motion in writing by serving LACMTA and the court with your written opposition within the period of time set forth in the notice from METRO.

- **Can I rent the property from METRO?**

If LACMTA agrees to allow you or your tenants to remain on the property after LACMTA acquires possession, you or the tenants will be required to pay a fair rent to METRO. Generally, such rent will not be more than that charged as rent for the use of a property similar to yours in a similar area.

- **Can I withdraw the amount deposited with the State Treasurer before the eminent domain action is completed, even if I don’t agree that the amount reflects the fair market value of my property?**

Yes. Subject to the rights of any other persons having a property interest (such as a lender, tenant, or co-owner), you may withdraw the amount deposited with the State Treasurer before the eminent domain action is completed. If you withdraw the amount on deposit, you may still seek a higher fair market value during the eminent domain proceedings, but you may not contest the right of LACMTA to acquire the property, meaning you cannot contest that the acquisition of your property is for a public purpose or is otherwise improper.

You also have the right to ask the court to require LACMTA to increase the amount deposited with the State Treasurer if you believe the amount LACMTA has deposited less than the “probable amount of compensation.”

- **Can I contest the condemning agency’s acquisition of the property?**

Yes. Provided you have not withdrawn the amount deposited, you can challenge in court LACMTA’s right to acquire or condemn the property.

- **What happens in an eminent domain trial?**

The main purpose of an eminent domain trial is to determine the fair market value of your property, including compensable interests such as lost business goodwill caused by the taking or severance damages. The trial is usually conducted before a judge and jury. You (and any others with interests in the property) and LACMTA will have the opportunity to present evidence of value, and the jury will determine the property’s fair market value. In cases where the parties choose not to have a jury, the judge will decide the property’s fair market value. Generally, each party to the litigation must disclose its respective appraisals to the other parties prior to trial.

If you challenge LACMTA’s right to acquire the property, the eminent domain trial will also determine whether or not LACMTA has the legal right to acquire the property. In such cases, the judge (not the jury) will make this determination before any evidence is presented concerning the property’s fair market value.

At the end of the trial, the judge will enter a judgment requiring LACMTA to pay fair market value. Once LACMTA pays the amount listed in the judgment, the judge will enter a final order of condemnation. LACMTA will record the final order with the County Recorder, and title to the property will then pass to METRO.

- **Am I entitled to interest?**

Anyone receiving compensation in an eminent domain action is generally entitled to interest on that compensation from the date the condemning agency takes possession of the property until the person receiving the compensation has been fully paid. The rate and calculation of the interest is determined under formulas in State law.

- **Will LACMTA pay my attorneys’ fees and costs?**

In an eminent domain action, you are entitled to be reimbursed by the condemning agency for your court costs such as court filing fees. In some circumstances, you may also be entitled to be reimbursed by the condemning agency for your attorneys’ fees in the lawsuit. Whether you will be entitled to receive reimbursement for your attorneys’ fees will depend on the particular facts and circumstances of the case and the offers and demand for compensation made in the action.

- **Will I receive assistance with relocation?**

Any person, business, or farm operation displaced as a result of the property acquisition is typically entitled to relocation advisory and financial assistance for eligible relocation expenses, such as moving expenses. The amount of relocation compensation is determined on a case-by-case basis in accordance with prescribed law. Relocation benefits are handled separate and apart from the determination of the property’s fair market value and are not part of the eminent domain process.

### III. Contact Information



We are available to answer your questions and to assist you in understanding the acquisition program and the eminent domain process. Should you desire further information, please contact the LACMTA Real Estate Services Department at **(213) 922-2404**.

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**  
**Real Estate Department**  
**One Gateway Plaza**  
**MAIL STOP 99-22-8**  
**Los Angeles, California 90012-2952**



APPENDIX K

RELOCATION ASSISTANCE APPEAL

<b>INSTRUCTIONS TO APPELLANTS:</b>  State nature of your complaint and reasons for this appeal in space at bottom. Attach extra pages if need, sign and date this form and mail to address shown.	Spaces Below To Be Completed By Los Angeles County Metropolitan Transportation Authority		
	Project		
	Parcel No.		
Print or Type Your Full Name(s)	Address of Subject Parcel		
Present Mailing Address	Appellant Is	Owner-Occupant	
		Non-Resident Owner	
		Tenant or Lessee	
	This Appeal Is Based On	Eligibility Only	
Amount of Payment Only			
Eligibility and Amount			

MAIL TO: Real Estate Office  
 Los Angeles County Metropolitan Transportation Authority  
 818 West Seventh Street, Suite 300  
 Los Angeles, CA 90017

Attention: \_\_\_\_\_

This is an appeal of a determination made by the Los Angeles County Metropolitan Transportation Authority under the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Act). The nature of my complaint and the reasons why I believe the determination is improper are stated below and/or on the attached pages.

\_\_\_\_\_  
 Signature of Appellant                      Signature of Appellant                      Date Signed

APPELLANTS' STATEMENT

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
RELOCATION APPEALS PROCEDURES

All displaced persons will be informed of their right to appeal the Los Angeles County Metropolitan Transportation Authority's (LACMTA) determination as to eligibility for payment or to the amount of the relocation payment. The right of appeal will be described in all brochures and other informational material distributed to the public.

Procedures have been established which assure each appellant that his/her grievance will be heard. The procedures insure that:

- Each appellant has the opportunity for oral presentation.
- Each appeal will be decided promptly and the appellant informed of the decision in writing.
- Each appeal decision will include a statement of the reasons upon which it is based.
- Each appellant will have a right of final appeal to a higher authority.

These Appeal Procedures only apply to LACMTA's Relocation Assistance Program. Judicial appeal also may be pursued if an appellant is not satisfied with LACMTA's administrative determination.

LACMTA APPEALS PROCEDURE SUMMARY

LEVEL I - CONFERENCE REVIEW

1. The appellant's appeal must be in writing to the Manager of Real Estate Services within one year from the date of receipt of the decision from the LACMTA on eligibility for or amounts of relocation payments.
2. The Real Estate Services Manager will schedule a conference review within ten working days from receipt of the appellant's statement requesting an appeal. The conference review will be scheduled as soon as practicable after receipt of the appellant's statement and preferably not later than thirty days.
3. The conference review will be conducted by the Manager of Real Estate Services with the appellant, the appellant's attorney, if desired, and the Relocation Agent.



4. The Manager of Real Estate Services will furnish the appellant a written decision on the appeal, stating the reason for the decision, within ten working days after the submission of all materials pertaining to the appeal.

LEVEL II - APPEALS HEARING PROCEDURES

1. Hearing Officer. The appellant may appeal the Level I conference review decision by submitting a written request for a Level II hearing to the Director of Real Estate within ten working days from receipt of the Level I appeal decision. The hearing will be scheduled within thirty working days from the date of receipt of the appellant's request. The Director of Real Estate may assign the hearing to a Hearing Officer. Said Hearing Officer may be either (1) a Manager of the MTA who has not participated in any earlier decisions affecting appellant's claim, or (2) an independent person.
2. Appearance of Appellant. The appearance of the appellant shall be required at all hearings, however, the Hearing Officer shall have discretion to consent to the absence upon a showing of good cause therefor.
3. Closing briefs. If closing briefs are to be submitted in connection with a hearing, they must be submitted within 20 business days from the last session of the hearing. Late submission shall not be accepted or considered by the Hearing Officer.
4. Evidence. The hearing shall be formal, but need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence will be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence or objection in civil actions.

Hearsay evidence may be admitted for any purpose, but will not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege and of official or judicial notice will be effective to the same extent as in civil actions. Irrelevant and repetitious evidence shall be excluded. Oral evidence shall be taken only under oath or affirmation.



5. Burden of proof. The burden of proof shall be on the appellant.
  
6. Findings and decision. The Hearing Officer shall within 30 calendar days from the receipt of the last materials, submit a written report to the Director of Real Estate. If the Director of Real Estate accepts the findings of fact contained in such report, he/she need not review the record of the hearing. If the Director of Real Estate declines to accept such findings, he/she must review the record or hold a hearing de novo.
  - a. When the Director of Real Estate has reached a proposed decision, he/she will notify the appellant and the Manager of Real Estate Services of that decision. Either the appellant or the Manager of Real Estate Services may then request findings of fact and conclusions of law by filing a written request with the Director of Real Estate. If no such request is filed within 10 business days after notification of the proposed decision, the right to findings of fact and conclusions of law will be deemed to have been waived.
  
  - b. If findings of fact and conclusions of law are requested, the Director of Real Estate may either adopt the report of the Hearing Officer as its proposed findings and conclusions, direct the appellant to prepare proposed findings and conclusions, or draft his/her own findings and conclusions. Copies of the proposed findings or conclusions shall be served personally or by mail on the Director of Real Estate, appellant, and Manager of Real Estate Services.
  
  - c. If the appellant or Manager of Real Estate Services files objections to the proposed findings and conclusions within the time specified above and the Director of Real Estate Services believes that the objections or parts thereof have validity, the Director of Real Estate shall amend the proposed findings and conclusions accordingly, and shall notify the appellant and Manager of Real Estate Services that the amended findings and conclusions are a new proposed decision.



The participant (either the appellant or Manager of Real Estate Services) who has not previously filed objections, shall have 10 business days from the date of the notice of the new proposed decision to file objections to that decision. The Director of Real Estate shall then consider those objections, and notify the appellant and Manager of Real Estate Services of the final decision.

- d. If no objections to the proposed findings and conclusions are filed within 10 business days after service, they shall constitute the final decision of the panel.
7. Report of hearings. Hearings shall be recorded by use of a tape recorder or equivalent. The Director of Real Estate may order that hearings be reported by a stenographic reporter when it deems it necessary or when some person interested in the hearing requests, at least 5 full business days before the day set for the hearing, that such hearing be reported and pays the actual cost or fee for such reporting.
8. Transcripts of hearing. Transcripts of hearings shall be furnished to any person on payment of the cost of preparing such transcripts. If prepared, the transcript of the hearing shall be the official record of the hearing.
9. Pre-hearing conference. With respect to any matters set for hearing, the appellant and Manager of Real Estate Services shall confer no later than 10 business days prior to the date for the hearing for the purpose of agreeing to a statement in writing setting forth the specific facts or contentions in issue. The applicant shall initiate the contact. The statement must be filed with the Director of Real Estate not later than 5 business days prior to the hearing, and shall include an estimate of the time required for the hearing and a list of all witnesses intended to be called.
10. The Director of Real Estate may, from time to time, implement modifications to these hearing procedures to carry out the intent to provide a fair and expeditious review of appellant's claim.



**Metro**

All appeals must be submitted to LACMTA on the Relocation Assistance Appeal form attached hereto and addressed to the appropriate LACMTA staff member for each level, at the following address:

Real Estate Department  
Los Angeles County Metropolitan Transportation Authority  
P. O. Box 194  
Los Angeles, California 90053

The request by an appellant for an appeal at any level must be received within the stated time limits, otherwise, the previous decision becomes final.

**Non-Residential Relocation  
Survey/ Interview**
**PLEASE PRINT LEGIBLY**

<b>Project Name:</b>	
<b>Property Owner:</b>	
<b>Displacee:</b>	
<b>Case Number:</b>	

 Owner    Tenant    Owner/Occupant

**INTERVIEWER:** \_\_\_\_\_

**Date of Interview:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_ **Unit:** \_\_\_\_\_

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

 Check if this address is only being used for parking and/or storage only, i.e., the actual business is not located on this site. (If box is checked, not all of the following questions will necessarily apply)

## Business Occupancy Survey

1. Respondent: \_\_\_\_\_

 2. Primary Language Spoken in business: English  Spanish  Korean  Other: \_\_\_\_\_

 2a. In what language, other than English, do you request written material be submitted to you?  
 Spanish  Korean  Other: \_\_\_\_\_

 3. Position with Business (Check all that apply): Owner  Business Manager  Employee  Other: \_\_\_\_\_

**General Information**

4. Legal Business Name \_\_\_\_\_

**IMPORTANT:** This name will be used for case files & will appear on checks (as “payee”) – i.e., checks will be made out to the name appearing on this line (4) – so make sure it is linked to a checking account and can be cashed!

 5. Doing Business As (DBA): \_\_\_\_\_ DBA registered? Yes  No 

6. Mailing Address (if different from street address, above): \_\_\_\_\_

\_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

7. Phone No: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax No: \_\_\_\_\_ Email \_\_\_\_\_

8. Type of Business (Check all that apply): Retail  Manufacturing  Service  Wholesale  Other: \_\_\_\_\_

9. What is the business structure of your company?

9a. Sole Proprietorship  Partnership  Corp  Franchise  Non-Profit  LLC

9b. Do you have any of the following?

Federal Tax Identification Number

Business License

Non-Profit Tax Exempt Status  If so, what is the #? \_\_\_\_\_

9c. Federal Taxpayer Identification Number -

10. Who are the owners(s) of the business and how can they be reached? (Write down names of all owners beginning with the primary contact person):

Name	Phone Number

11. Business Manager Name: \_\_\_\_\_

11a. Business Manager Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_ Email: \_\_\_\_\_

**Operations**

12. Describe your business and the goods and/or services that you provide: \_\_\_\_\_  
\_\_\_\_\_

13. How long have you been operating this business? Years \_\_\_\_\_ Months \_\_\_\_\_

14. How long have you been at this location? Years \_\_\_\_\_ Months \_\_\_\_\_

15. Where were you previously located? \_\_\_\_\_ How long? \_\_\_\_\_

16. Do you have any additional locations for this business? Yes  No

17. Do you have another or other business(s) located elsewhere? Yes  No

17a. If so, where? \_\_\_\_\_

18. What are your normal business hours and days of operation?



Day	Open	Close
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

19. How many employees do you have? Full Time \_\_\_\_\_ Part Time \_\_\_\_\_

20. How do most of your customers get to your business? (Fill in estimated %) Car \_\_\_\_\_ % Bus \_\_\_\_\_ %  
Walk \_\_\_\_\_ % Other (specify) \_\_\_\_\_ %

21. Where do most your customers come from (neighborhood, community, area)? \_\_\_\_\_

\_\_\_\_\_

21a. What percentage of your business, if any, is from the internet? \_\_\_\_\_ %

22. Additional comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Current Facility (Physical Features)** \_\_\_\_\_

23. Site

23a. Total land area square footage \_\_\_\_\_ sf

23b. Parking square footage \_\_\_\_\_ sf or approximate number of parking spaces: \_\_\_\_\_

24. Buildings/Outside Work Areas

24a. Sales \_\_\_\_\_ sf

24b. Office \_\_\_\_\_ sf

24c. Warehouse \_\_\_\_\_ sf

24d. Manufacturing \_\_\_\_\_ sf  
(workshop)

24e. Yard \_\_\_\_\_ sf

24f. Other (specify) \_\_\_\_\_ sf for \_\_\_\_\_

24g. TOTAL \_\_\_\_\_ sf

25. How many parking spaces does the business have? (write in number) \_\_\_\_\_

26. Does your business have special zoning requirements, e.g. a conditional use permit? Yes  No

26a. Does your business have a valid liquor license? Yes  No

26b. If yes to either (a) or (b) above, please explain: \_\_\_\_\_

**Financial Information**

27. Do you Lease or Own the land/building? (Check appropriate column)

	Own	Lease	No. Years	No. Months
Land				
Building (s)				

28. Ownership

28a. Are you the sole owner of the property? Yes  No

28b. Are there lien holder(s) on this property? Yes  No

28c. If so, please identify lien holder(s):

Name of Lien Holder	Address	Phone No.

28d. Do you lease a portion of the property? Yes  No

28e. If so, attach tenant information (e.g. Tenant Roll)

29. Leasing (Tenants)

29a. If you lease the land, what is your current monthly lease payment \$ \_\_\_\_\_

29b. If you lease the building, what is your current monthly lease payment \$ \_\_\_\_\_

29c. Total monthly lease? \$ \_\_\_\_\_

29d. Do you have a Lease Agreement: Yes  No  Can you provide a copy: Yes  No

30. What type of lease do you have? Percentage Sales  Triple Net  Gross Lease

Other (specify): \_\_\_\_\_

30a. When does your lease end? (write in month/day/year) \_\_\_\_\_

30b. Do you have any option to extend the lease? Yes  No

30c. Are there residents living on the premises? Yes  No

30d. Do you sublease to others? Yes  No

30e. If you do sublease, provide additional information:

Tenant	Location	Approx. Sq. Ft.	Lease Termination Date

additional sheets or documentation is attached

**Equipment & Inventory**

31. Do you know the replacement value of your personal property, which includes both inventory and equipment?

No  Yes  Value: \$ \_\_\_\_\_

32. Equipment - What equipment do you own and/or lease; are there liens on any of this equipment; what equipment do you intend to move? *Use additional paper if necessary. Ownership of equipment must be verified.*

ITEM (Movable Fixtures, Equipment, Inventory, Other Personal Property)  <i>(First 2 lines are examples only, start with Item #1 on line 3 – Use additional pages as needed)</i>  Page 1 of _____	Quantity	Item Verification (Check all that apply and are applicable)			Item Status (check one)		Move Intention (check one)	
		Own	Lease	Lien	Item Operable/ in use	Item Inoperable - retrieved from offsite storage	To be moved	Not to be moved
1. Self –contained 2 door cooler (51" x 30" x 79" – F & E list does not mention that THIS UNIT NEEDS A DRAIN	1		x	x	x		x	
2. Three drawer file cabinets – Mover's list only showed one	2	x			x		x	

This list is continued on next page 



33. Do you have documentation showing you own the F & E and/or Trade Fixture? Yes  No   
 Copies available  Not Available  I will prepare copies  by (date) \_\_\_\_\_

34. Did you install any of the fixtures that are attached to the building: Yes  No

34a. If so, do you have documentation showing you paid for the work: Yes  No

34b. Can you provide a replacement value (supporting by receipts) of the fixtures that are attached to the building? No  Yes  Value: \$ \_\_\_\_\_

34c. What fixtures that are attached to the building did you install? Are there liens on any of these fixtures? Which of these fixtures that can be detached and moved do you intend to move? *Use additional paper if necessary. Ownership of fixtures must be verified.*

ITEM  Fixtures that are attached to the building  <i>(First 2 lines are examples only, start with Item #1 on line 3 – Use additional pages as needed)</i>  Page 1 of ____	Quantity	Item Verification (Check all that apply and are applicable)			Move Intention (if fixtures can be moved)	
		Own	Lien	Operable	Yes	No
1. Walk-in cooler – with floor (if it can be moved)	1		x	x	x	
2. Built – in hood over stove (if it can be moved)	2	x		x	x	

35. Inventory - What months of the year do you have the least inventory and the most inventory? *(Check all that apply)*

Month	Least Inventory	Most Inventory	Month	Least Inventory	Most Inventory
January			July		
February			August		
March			September		
April			October		
May			November		
June			December		

36. Hazardous Materials – Are you aware of any hazardous material such as dry cleaning fluids, coolants, motor oil, etc.? Yes  No

36a. If you have hazardous material, how do you deal with the following?

Disposal: \_\_\_\_\_

Emissions: \_\_\_\_\_

Handling: \_\_\_\_\_

Storage: \_\_\_\_\_

### Replacement Site Requirements

37. Do you plan to relocate and continue your business at a new site? Yes  No

38. Do you plan to enter new market, i.e., expand your product line after the move? Yes  No   
Undecided

39. Are you currently working with a real estate consultant or attorney? Yes  No

39a. If yes, what is the name of the consultant/attorney; his/her phone number and the company for whom they

work: \_\_\_\_\_  
\_\_\_\_\_

40. Have you identified and/or obtained a replacement site? Yes  No

40a. If yes, please provide the owners name and address of site: \_\_\_\_\_  
\_\_\_\_\_

40b. If yes, what is the square footage? \_\_\_\_\_ sf.

41. Do you have a preferred area or site where you would like to relocate to? Yes  No

41a. If yes, where is the area and/or site? \_\_\_\_\_

42. Do you have an alternate choice for a preferred area and/or site if your first is not available? Yes  No

43. If you have an alternate site, why did you choose that site? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

44. Which of the following location/access requirements are important? (check all that apply) Near airport

Near public transportation  Near railroad line  Near major truck route  Sidewalk access   
 High visibility site  Other: \_\_\_\_\_

45. At the replacement site, how much square footage do you anticipate will be required for the various components of your business:

45a. Sales \_\_\_\_\_ sf  
 45b. Office \_\_\_\_\_ sf  
 45c. Warehouse \_\_\_\_\_ sf  
 45d. Manufacturing \_\_\_\_\_ sf  
       (workshop)  
 45d. Yard \_\_\_\_\_ sf  
 45e. Other (specify) \_\_\_\_\_ sf for \_\_\_\_\_  
 45f. TOTAL \_\_\_\_\_ sf

46. What type of shipping and receiving accommodation do you need? Docks  RR Spur   
 Designated Load/Unload  Other (specify) \_\_\_\_\_

47. Do you depend on trucks for your business? Yes  No

47b. What is the size of your largest truck? Length \_\_\_\_\_ ft width \_\_\_\_\_ ft

47b. Do your trucks need special turn-around space? Yes  No

47c. Do you need space for semi-trailer/trucks? Yes  No

47d. Where do you need access: Front of business  Rear of Business  Both

Other (specify): \_\_\_\_\_

48. What are your current/expected future electrical power needs? (please be as specific as possible)

\_\_\_\_\_  
 \_\_\_\_\_

49. What are your current/expected future HVAC needs? (please be specific) \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

50. How much parking will you need? (please be specific) \_\_\_\_\_  
\_\_\_\_\_

51. What additional needs will your business require in the new location (e.g., utility needs, equipment, etc)?  
\_\_\_\_\_  
\_\_\_\_\_

### Referrals

52. Have you thought about how long it will take you to vacate this location? No  Yes  Time required: \_\_\_\_\_

52a. What specialist(s) will be required to execute the move? \_\_\_\_\_  
\_\_\_\_\_

52b. Would you care to share some of those ideas or concerns with us? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

53. Do you need assistance with permits and/or license? Yes  No  Maybe

53a. Can you provide the Agency with copies of any licenses or permits: Yes  No

54. The relocation program *reimburses for certain expenses*. What financial sources will you use to pay for relocation expenses, subject to reimbursement?

Cash  Bank  Other: \_\_\_\_\_

55. Do you have any special needs and/or disability? Yes  No

55a. If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

56. What is your most immediate concern at this moment? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Permits, Insurance, Advertising**
**57. What types of permits do you have?**

Type of Permit	Required for: (type of equipment or nature of material stored, used or sold)	Issued by [what agency]:	Current?	
			Y	N

**Hazmat Permits**


**58. What types of insurance do you have** (ex: fire, liability, workers compensation, business interruption, etc.)? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Expiration dates: \_\_\_\_\_

**59. Advertising:** Yellow Page Ad  Cable TV  Other  \_\_\_\_\_

**60. Obsolete Stationery:** Letterhead  approx. number \_\_\_\_\_ Business cards  approx. number \_\_\_\_\_  
 Ads (brochures/fliers)  approx. number \_\_\_\_\_ (provide samples of each)

**Tax Credits/Enterprise Zones**
**61. Describe any tax credits or Business Enterprise Zone benefits you are currently receiving:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Interviewer/Relocation Consulting consultant (please print)

Date

Signature

**ADDITIONAL PAGES ATTACHED** Yes  No  .

## APPENDIX M

## RELOCATION INTERVIEW/SURVEY - Residential

 Name (HOH): \_\_\_\_\_  
 Phone/Home: \_\_\_\_\_

Tenant / Owner / Other (circle one)

 Project Address: \_\_\_\_\_  
 Work: \_\_\_\_\_  
 \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

Move-in Date: \_\_\_\_\_

Emergency Contact Person: \_\_\_\_\_

Phone No: \_\_\_\_\_

 Head of Household:  Male  Female  Elderly  Handicapped/Disabled  
 Household Ethnicity:  White  Black  Latino  Asian/Pac. Isl.  Am. Indian/Alaskan Native  Other \_\_\_\_

 Names of all household members and all sources of household income:  
 (Include all AFDC, work, pension, social security, general relief, child support, daily cash)

Name	Legal Status	Sex	Age	Relation to HOH	Disability/Handicap	Monthly Income	Source
1. (HOH)							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

**HOUSING CHARACTERISTICS**

Current Monthly Rent / Mortg. \_\_\_\_\_ Terms \_\_\_\_\_ # of Bdrm \_\_\_\_\_

Location preference \_\_\_\_\_

What utilities do you pay? \_\_\_\_\_ Number of Rooms Occupied \_\_\_\_\_ Are you looking to buy or rent? \_\_\_\_\_

Total Monthly Housing Cost \_\_\_\_\_ Number of Bedrooms Needed \_\_\_\_\_

What type of unit would you prefer:

 Rooms in the dwelling: \_\_\_\_\_  
 \_\_\_\_\_

 Dwelling Type:  House  Apt.  1-4 units  Other \_\_\_\_\_



**HOUSEHOLD INFORMATION**

Schools children are currently attending: \_\_\_\_\_  
\_\_\_\_\_

What is the primary language spoken in your household: \_\_\_\_\_

Number of vehicle parked on site: \_\_\_\_

What public transportation do you rely on: \_\_\_\_\_

Pets:  Yes  No Additional Info about pets: \_\_\_\_\_  
\_\_\_\_\_

Do you or any household member attend a church or other civic organizations that require regular attendance:  Yes  No

If so, which, where and when: \_\_\_\_\_  
\_\_\_\_\_

**EMPLOYMENT INFORMATION**

Name of employer, type of employment & whether it is full or part -time for each working members of the household: Distance traveled to work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SPECIAL NEEDS**

Does any household member with special medical needs, if so what?: \_\_\_\_\_  
\_\_\_\_\_

Do you have/use medical equipment (wheelchair, oxygen):  Yes  No If yes, list type of medical equipment: \_\_\_\_\_

Other needs you want to make us aware of?: \_\_\_\_\_  
\_\_\_\_\_

**SPECIAL CIRCUMSTANCES**

Is any household member temporarily out of your home? (*Vacation, Military, School, Jail, Etc.*):  
 Yes  No If Yes, reason for leave & when do you expect them back: \_\_\_\_\_  
\_\_\_\_\_

Is any household member on probation/parole:  Yes  No If so, state the nature, name, and phone # of consultant: \_\_\_\_\_

Are there any gang affiliations:  Yes  No If so, please explain: \_\_\_\_\_  
\_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

TENANT SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

Interviewer: \_\_\_\_\_

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

## APPENDIX N

## Recordkeeping and Reports General Provisions

LACMTA requires, routine monitoring and evaluation of relocation files and records.

It is not the intent of LACMTA to increase administrative burdens, however in order to obtain more accurate information and to more effectively monitor implementation of the URA, it is necessary to standardize relocation program reports and required documentation.

All relocation files must be maintained for at least three years after the latest of:

- the date by which all payments to persons displaced for the project and all payments for the acquisition of the real property have been issues;
- The date the project has been completed; or
- The date by which all issues resulting from litigation, negotiation, audit, or other action (i.e. civil rights compliance) have been resolved.

### *Confidentiality:*

Documents are confidential unless required by law to be made available to the public. Only authorized staff of LACMTA or funding agencies will have access to them. The affected person can request (in writing) access to his or her own documents and will be allowed to inspect and copy such. LACMTA has a right to determine that certain documents should not be disclosed to the person for reasons of confidentiality.

### *General Relocation File Recordkeeping Requirements:*

An accurate relocation record for each case must be maintained based on information obtained during initial and follow-up interviews with displace(s) and information obtained from other sources pertinent to the residential or business displacement.

Individual relocation files must be maintained for all site occupants from initial contact through final payment.

Each relocation file must contain a photo identification of the person(s) receiving payment.

Monthly status reports must be submitted to LACMTA Real Estate Services no later than the 10<sup>th</sup> of each month. Such status reports must contain at a minimum:

1. Name, address, phone number of each unit occupied
2. Household characteristics (i.e. # of male adults, female adults, male children, female children)
3. Business type and square footage
4. Number of current bedrooms occupied, number of required bedrooms
5. Business – current zoning and required zoning
6. Gross monthly household income and source of income
7. For businesses
8. Legal Status in the United States
9. Current rent/lease amount/terms
10. Date and method of Delivery of:
  - a. General Information Notice (GIN)
  - b. Move-in Notice to Perspective Tenants

- c. Notice of Non-Displacement
- d. Temporary Move Notice (if applicable)
- e. Notice of Eligibility
- f. Vacate Notice
- g. Advisory Services

11. Relocation Payments made - type and amounts
12. Vacate Date
13. Replacement site address
14. Other pertinent comments to indicate progress or complaint

Acquisition and Relocation staff will review these procedures for a list of records that must be maintained for projects involving acquisition and relocation. Staff will ensure that the following documents are placed in the file.

### **Acquisition Files**

- Notices
- For voluntary acquisition the “voluntary” letter to the seller.

For involuntary acquisition:

- Notice to Appraise.
- Offer of Just Compensation and Summary Statement.
- Any other correspondence related to the purchase.
- Documents related to the purchase, i.e., purchase agreement, escrow settlement papers
- Documents related to the property’s value. An appraisal or other estimate of value for voluntary acquisitions and an appraisal and review appraisal for involuntary acquisitions. If three months has passed a second appraisal may be necessary.

### **Relocation Files**

#### **Record Retention**

Acquisition and relocation records will be retained until three years after a project is completed and closed out. A project may be closed out when all the funds have been spent, program objectives met, displaced persons relocated and audits completed.

#### **Availability and Confidentiality of Records**

Records are considered confidential information, and the contents should only be available to authorized LACMTA staff, funding agency personnel or other audit staff. Upon written request, information may be released to affected persons or their designated representative.

### **Project Relocation File**

- Summary List of Occupants on site as the following dates: Application, Approval, Contract Execution and Project Completion.
- Record of any meetings held and information covered at the meeting.
- Summary List of Occupants who were paid and how amount determined that they were paid, if not paid, the reason why.
- Summary list of occupants not paid and reason why not paid.
- Fixed Payment Schedule used to compute moving expense.
- Section 8 income limits used in Section 104(d) eligibility or URA RHP calculations.

**Relocation Files for Individual Residential Tenants** (Minimum Requirements for tenant Files)

- Site Occupant Record (HUD Handbook 1378) Appendix 8 for residential and Appendix 9 for business occupants or similar interview/ survey form.
- Notices and proof of delivery.
- Claim Form
- Supporting documentation of replacement housing payment claim i.e., intake form, lease or rent receipt, utility receipts or property completed utility schedule.
- Comparable Dwelling Analysis form
- Evidence of income, if part of the housing payment calculation: wages, self-employment, government and private pensions (i.e., SSA, SSI, VA), rental income, etc.
- Low income calculations—evidence of exclusions.
- Explanation of any special circumstances (calculation or otherwise).
- Evidence of Section 8 transfer, if applicable.
- Evidence of comparability of designated comparable replacement dwelling
- Proof of payment of moving expense (fixed schedule or receipts).
- Proof of payment of relocation housing payment/ receipt by claimant.
- Record of Inspection (In town and out of town moves).
- Legal Certification Form or sign off on claim form
- Appeals, exceptions to legal residency requirement if any, explanations, correspondence.
- Advisory services provided.

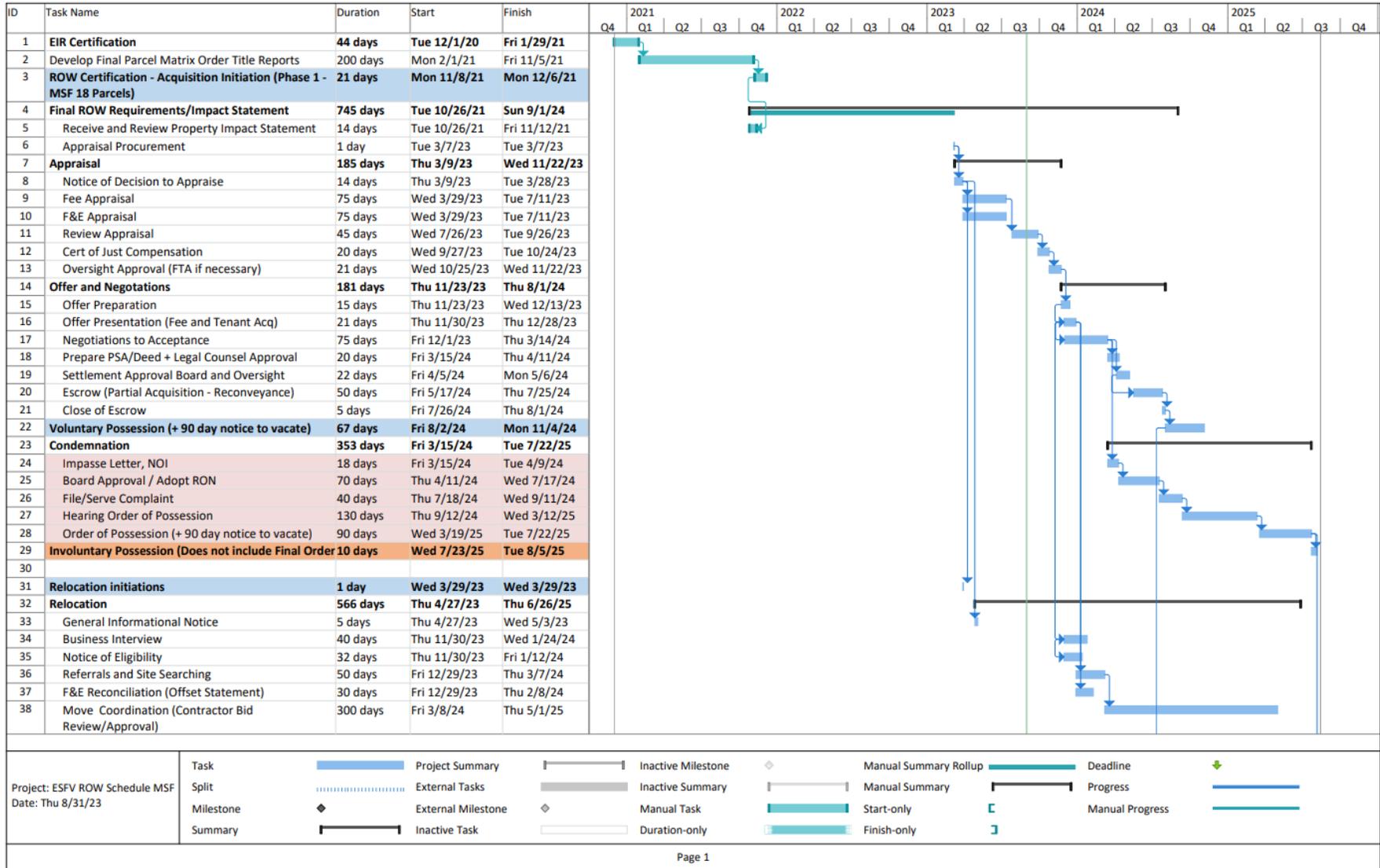
**Individual Homeowner Files** (Minimum Requirements for homeowner files)

- Notices and proof of delivery.
- Claim forms.
- Appraisal of displacement home.
- List of comparable homes (HUD Comparability Form).
- Legal Certification Form or sign off on claim form.
- Purchase price of new home and other incidentals per the purchase agreement and final escrow settlement), and proof of payment- wire transfer.
- Inspection of replacement home
- Log of advisory services provided and all contacts with displacee.

**Businesses Tenant Files** (Minimum Requirements for Businesses)

- Notices and proof of delivery.
- Minimum Requirements for
- Business Claim Form.
- Appraisal or other documentation of fixtures, furniture and equipment and leasehold interest, if any. (Provide an explanation for any furniture, furniture, equipment that is not moved.
- Receipts, estimates or bids for all moving expenses and proof of payment.
- Receipts, estimates or bids for re-establishment and proof of payment.
- Log of advisory services provided and all contacts with displacee

APPENDIX O







Project: ESFV ROW Schedule TPSS Date: Thu 8/31/23	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Progress	
	Milestone		External Milestone		Manual Task		Start-only		Manual Progress	
	Summary		Inactive Task		Duration-only		Finish-only			

ID	Task Name	Duration	Start	Finish																				
					2021	2022				2023				2024				2025				2026		
					Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1		
39	90 Day Notice to Vacate	75 days	Thu 10/17/24	Wed 1/29/25																				
40	Claim and Payment Processing	160 days	Thu 1/30/25	Wed 9/10/25																				
41	<b>File Closure</b>	<b>5 days</b>	<b>Thu 9/11/25</b>	<b>Wed 9/17/25</b>																				
42	Involuntary Physical Possession (Does not include UD)	1 day	Tue 10/21/25	Tue 10/21/25																				
43	<b>ROW Completion</b>	<b>5 days</b>	<b>Wed 10/22/25</b>	<b>Tue 10/28/25</b>																				

Project: ESFV ROW Schedule TPSS  
Date: Thu 8/31/23

Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
Split		External Tasks		Inactive Summary		Manual Summary		Progress	
Milestone		External Milestone		Manual Task		Start-only		Manual Progress	
Summary		Inactive Task		Duration-only		Finish-only			

Page 2

# TEAM ORGANIZATION

## EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR PROJECT



**KIM BIBOLET,**  
SR/WA, R/W-NAC §★

**PROJECT MANAGER**



**JOEY MENDOZA ★**  
PRINCIPAL IN CHARGE



**Legend:**

- ★ KEY PERSONNEL
- § REAL ESTATE LICENSE

# KIM BIBOLET, SR/WA, R/W-NAC

PROJECT MANAGER



Kim Bibolet is a tenured right-of-way professional with over 15 years of experience. She has worked closely with numerous local governments, public agencies, and private companies on transit, transportation, housing, and utility infrastructure projects. She has been involved in all aspects of right-of-way work, including business and residential relocations, acquisition, appraisal valuations, curative title, environmental assessments, escrow coordination, encroachment mitigation and permitting, eminent domain support, and property management services.

## 15 YEARS EXPERIENCE



### EDUCATION

**BACHELORS DEGREE**  
Sports Science, University  
of Idaho



### LICENSES

**SENIOR RIGHT-OF-WAY AGENT**  
International Right-of-Way Association

**RIGHT-OF-WAY NEGOTIATION  
AND ACQUISITION**  
International Right-of-Way Association

**REAL ESTATE SALESPERSON**  
State of California  
CA#01883565



### AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar



## FUN FACT!

Kim is obsessed with ice cream and spends her free time on the soccer field coaching her kid's teams. She prefers to be outdoors whether she's boating, camping, hiking or golfing. Speaking of golf... she's pretty good and has the coveted title of having a hole in one!

## PROJECT EXPERIENCE

### PORT OF LOS ANGELES / PORT OF LONG BEACH LAND EXCHANGE

Port of Los Angeles | San Pedro, CA

This project will improve the interchange to the major corridor leading from the 710 freeway into the Port of Los Angeles and the Port of Long Beach. Monument is responsible for the property acquisition, utility coordination and right-of-way certification. Kim Bibolet is responsible for managing the right-of-way and working with Caltrans to secure certification by Fall of 2022.

### SEPULVEDA PASS PDA

Los Angeles County Metropolitan Transportation Agency | San Fernando Valley, CA

This project consists of a transit system of over 18 miles of aerial guideway and subterranean tunneling which will connect Westwood in Los Angeles to the San Fernando Valley. Monument is working with the design engineers to evaluate the right-of-way impacts with various alignment options being considered. Our role is to provide right-of-way solutions that will minimize overall project footprint. There will be approximately 600 acquisitions over 400 residential relocations and over 120 business displacements.

### FOOTHILL GOLD LINE EXTENSION

Foothill Gold line Construction Authority | Glendora to Montclair, CA | 2021-Ongoing

The Foothill Gold Line is a design-build project running from Glendora to Montclair and will extend the Metro Gold Line over 12 miles. This project includes new stations in the cities of Glendora, San Dimas, La Verne, Pomona, Claremont, and Montclair. Monument was hired to replace the original relocation consultant that fell behind schedule. Kim is part of Monument's Team of Agents who delivered 5 residential relocations, 30 businesses and relocated over 120 RVs and personal property moves at three station sites. Monument was able to quickly deliver and get the project back on schedule.

### SR-55 IMPROVEMENT PROJECT, FROM I-405 TO I-5

Orange County Transportation Authority | Orange, CA

The SR-55 between I-405 and I-5 has four general purpose lanes, one carpool lane and some auxiliary lanes in each direction. The heavy congestion on SR-55 is expected to increase with future demand. This project adds one general purpose lane, one carpool lane and auxiliary lanes in each direction of this stretch of the freeway to reduce congestion and increase capacity. Kim is the Project Manager overseeing the delivery of 20 property acquisition negotiations and agreements and relocation assistance advisory services for several non-residential tenants, including industrial business tenants (a shower door manufacturer and a deep cleaning operation) and a general contracting business.

## KIM'S PROJECT EXPERIENCE CONTINUED

### ORANGETHORPE AVENUE GRADE SEPARATION

Orange County Transportation Authority | Orange, CA

Kim provided right-of-way acquisition support for this Caltrans oversight project to acquire interests in over 20 parcels, two of which were commercial centers. She worked with over 25 business owners in these centers on furniture, fixtures and equipment issues, along with loss of business goodwill claims. Other responsibilities included acquiring permits to enter, obtaining Phase I and II environmental site assessments, escrow coordination, and eminent domain support to the Authority and its attorneys.

### LAUREL STREET GRADE SEPARATION AND I-10 TIPPECANOE AVENUE INTERCHANGE IMPROVEMENT PROJECT

San Bernardino County Transportation Authority | Loma Linda, CA

Kim assisted SBCTA with interim property management, marketing, and sale of 24 excess remnant parcels that were originally acquired for both the Laurel Street Grade Separation Project and the I-10 Tippecanoe Avenue Interchange Improvement Project in Loma Linda. As part of this effort, Kim notified public agencies of the offer to sell, alerts adjacent property owners and has developed a comprehensive marketing program to get the most exposure for the properties. Kim handled the escrow process as well as the property management until sold.

### WEST VALLEY CONNECTOR BUS RAPID TRANSIT CORRIDOR

San Bernardino County Transportation Authority | San Bernardino, CA

This is a 35 mile long street widening to accommodate a bus travel lane including 60 station platforms and 33 intersection improvements. Kim is responsible for preparation of the RAMP, bid documents for appraisal, right-of-way engineering and right-of-way services. She drives the schedule and works collaboratively with the client to deliver the project.

### FOOTHILL BOULEVARD IMPROVEMENTS, HEMLOCK AVE TO ALMERIA AVE

City of Fontana | Fontana, CA

The City of Fontana is widening Foothill Boulevard, adds Class II bike lanes, and replaces the existing historic Malaga Bridge, which is a pedestrian bridge spanning over Foothill Boulevard that connects the Pacific Electric Trail through Fontana. Kim provided cost estimates, Caltrans Right of Way Data Sheets, title clearance, and negotiations to acquire partial rights and TCEs from 29 total private property owners.

### JUAN BAUTISTA DE ANZA NATIONAL HISTORIC TRAIL EXTENSION

City of Moreno Valley | Moreno Valley, CA

Kim performed title examination services, real estate appraisal and appraisal review, right of way acquisition and negotiation services, escrow coordination, utility relocation coordination, and Request for Authorization to Proceed and Caltrans Certification support.

### INTERSTATE 5 AND OSO PARKWAY INTERCHANGE IMPROVEMENTS

Orange County Transportation Authority | Mission Viejo, CA

This project improves traffic flow and safety through one of the most congested interchanges along the I-5 freeway in South Orange County. The project adds a southbound auxiliary lane in advance of the southbound off-ramp at Oso Parkway, widens the southbound off-ramp to Oso Parkway from one to two lanes, and widens the ramp lanes from three to four lanes. OCTA acquired previously acquired occupied properties and their leases terminate in January 2022. As the Advisory Manager and Contract Manager, Kim provided quality control and overseeing the delivery of relocation assistance services for three (3) non-residential tenants being displaced. They include two gas stations and one rug liquidator business. All displacees were relocated by the end of 2021.

## KIM AT A GLANCE



ABILITY TO BRING  
PARTIES TOGETHER FOR  
RESOLUTION



SUCCESSFULLY MANAGES  
COMPLEX PROJECT  
MATTERS



EXPERIENCED WITH  
UNIFORM ACT, FHWA, FTA  
AND CALTRANS

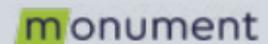


HAS DELIVERED  
THOUSANDS OF PART AND  
FULL TAKE PARCELS



A DRIVEN PROJECT  
MANAGER ON A  
DELIVERY MISSION!

# JESSE ORTIZ, R/W-RAC



RELOCATION LEAD



Jesse is experienced in acquisition and relocation services for residential, industrial, and commercial urban areas. He has provided acquisition and relocation assistance for various projects, many of which have featured a significant commitment to relocation, goodwill, and fixture & equipment appraisals. While also excelling in real property negotiation and commercial relocations, Jesse has also provided expert testimony for relocation and goodwill settlements. He has worked on projects throughout Southern California and is fluent in Spanish.

17 YEARS EXPERIENCE

## EDUCATION

**COURSEWORK**  
California State Polytechnic University, Pomona, CA

**COURSEWORK**  
California State University, Los Angeles, CA

## LICENSES

**RIGHT-OF-WAY, RELOCATION ASSISTANCE**  
International Right-of-Way Association

**REAL ESTATE SALESMAN**  
State of California  
CA#02138220

**NOTARY PUBLIC**  
State of California

## AFFILIATIONS

**IRWA**  
International Right-of-Way Association

**WTS**  
Women's Transportation Seminar

## FUN FACT!

Skilled in the areas of drawing, face painting and lasagna making (Yum!), Jesse's finest skill is his ability to work as a handyman for his best customer, his wife! If he was given \$1000 to spend at a store he'd buy new tools at Home Depot. Jesse gets brownie points.

## PROJECT EXPERIENCE

### INGLEWOOD TRANSIT CONNECTOR

City of Inglewood | Inglewood, CA

The ITC Project is a 1.6 mile long elevated automated people mover that will provide direct connections between the LA Metro Crenshaw/LAX Line and Inglewood's major employment, commercial, housing, sports and entertainment centers. The Project will have three stations including one at Market Street/Florence Avenue, Manchester Blvd/Prairie Avenue, and Hardy Street/Prairie Avenue with the maintenance and storage facility (MSF) located at Manchester Blvd and E. Spruce Avenue. Monument is responsible for project management, business relocation and property acquisition. Monument is assisting the City of Inglewood with strategic planning and implementation. This includes 60 business relocations and 70 acquisitions. As a Senior Agent, Jesse is providing relocation services, focusing on relocation assistance for the most challenging businesses affected by the real estate and right-of-way needs for this Project.

### FOOTHILL GOLD LINE EXTENSION

Foothill Gold line Construction Authority | Glendora to Montclair, CA

The Foothill Gold Line is a design-build project running from Glendora to Montclair and will extend the Metro Gold Line over 12 miles. This project includes new stations in the cities of Glendora, San Dimas, La Verne, Pomona, Claremont, and Montclair. Monument was hired to replace the original relocation consultant that fell behind schedule. Jesse is part of Monument's Team of Agents who delivered 5 residential relocations, 30 businesses and relocated over 120 RVs and personal property moves at three station sites. Due to the efforts of Jesse, Monument was able to quickly deliver and get the project back on schedule.

### STATE COLLEGE BOULEVARD GRADE SEPARATION PROJECT

City of Fullerton | Fullerton, CA

This project impacted over 23 parcels and required permanent easements, utility easements (underground easements and pump station easement), retaining wall & tieback easements, access easements, and temporary construction easements. Jesse provided acquisition services to 7 parcels, two of which were multi-tenant commercial condominium units.

### NOGALES STREET SOUTH GRADE SEPARATION PROJECT

Alameda Corridor East Construction Authority | City of Industry, CA

Jesse provided acquisition and relocation services for this Caltrans oversight project. The project impacts over 40 parcels and required fee acquisitions, permanent easements, utility easements (underground easements and underground storm drains), aerial easements, footing easements, access easements, slope easements and temporary construction easements. Jesse negotiated the acquisition on 9 parcels and provided relocation assistance for 3 businesses (including a gas station), signboards and personal property.

## JESSE'S PROJECT EXPERIENCE CONTINUED

### MAGNOLIA & COLUMBIA AVENUE GRADE SEPARATION

City of Riverside | Riverside, CA

This project included the acquisition and relocation of single family residences and businesses for the Columbia Avenue and Magnolia Center Grade Separation Projects. Jesse provided fixture and equipment negotiations to successfully complete the project.

### SIXTH STREET VIADUCT REPLACEMENT PROJECT

City of Los Angeles | Los Angeles, CA

Jesse provided acquisition and relocation services for this Caltrans oversight project. The project requires the relocation of 15 business, some of which have been in operation for over 60 years. The relocations ranged from Kosher foods manufacturer, Kosher food distributor, fire retardant insulation manufacturer, vegetable wholesaler, beauty product distributor, furniture manufacturer, seed distributor, clothing manufacturer, furniture retailer, movie set creator, and textile warehouse.

### BRISTOL STREET WIDENING PHASE IV BETWEEN WARNER AVENUE AND ST. ANDREWS PLACE

City of Santa Ana | Santa Ana, CA

Jesse provided acquisition services for 17 properties and relocation of 6 businesses and 11 residences while providing Spanish speaking services to those in need. Relocations included a variety of businesses: 2 real estate businesses, restaurant, and 3 dental offices. Jesse performed negotiations for fixture and equipment.

### FIRESTONE BLVD. STREET WIDENING

City of South Gate | South Gate, CA

Right-of-way services were provided for a commercial area that required the acquisition of 12 properties and relocation of 12 businesses. Relocations included a variety of businesses: a furniture store, used car lots, sheet metal/fabrication, printing company, meat distributor, silk screen company, orthopedic office, printing company, automotive stores, ambulance company, and retail stores. Jesse performed negotiations for fixture and equipment, provided mediation support for relocation settlements, and testified as an expert witness for goodwill settlements. He also provided assistance to the City's environmental consultant.

### I-710 EARLY ACTION SOUND WALL PROJECT

Los Angeles County Metro Transportation Authority | Los Angeles, CA

Jesse obtained temporary construction easements (TCEs) for 120 parcels. He provided oversight for the project, and personally negotiated the acquisition of 32 TCEs.

### NORTHSIDE INDUSTRIAL PROJECT

Redevelopment Agency of the City of Long Beach | Long Beach, CA

This project included acquisition services for 3 parcels and relocation services for a complex negotiation involving property owners, tenants and developers. Jesse procured a fixture and equipment appraisal, a goodwill appraisal and made an assessment of potential relocation costs. He also assisted the agency in purchasing property, negotiating settlement and performing a bulk sale.

### CRENSHAW/LAX TRANSIT CORRIDOR LIGHT RAIL PROJECT

Los Angeles Metropolitan Transportation Authority | Los Angeles, CA

This project provides rail transportation to and from the LAX airport. Jesse was responsible for the relocation of 10 businesses.

### NEW SCHOOLS PROGRAM

Los Angeles Unified School District | Los Angeles, CA

This project established new school sites in Los Angeles. Jesse provided acquisition services for 85 parcels and relocation services for 185 residences and 8 businesses while providing Spanish speaking services to those in need.

## JESSE AT A GLANCE



EXPERT IN BUSINESS  
RELOCATION



SPANISH SPEAKING



FLUENT IN BOTH STATE AND  
FEDERAL REGULATIONS



ACQUIRED AND  
RELOCATED THOUSANDS  
OF PARCELS



THE KIND OF GUY YOU  
WANT TO WORK WITH!

# RAMIE DAWIT, RWA

ACQUISITION LEAD



Ramie is experienced in all aspects of real estate and right-of-way management including property negotiations, relocation assistance, title and escrow, appraisal methodologies, utility relocations, property management and certification. She has successfully managed the acquisition and relocation of over 5,000 cases spanning her 15 year career and is well versed in the application of all state and federal laws, including implementation of the Caltrans Manual and FTA guidelines.

## 15 YEARS EXPERIENCE

 **EDUCATION**  
**BACHELORS DEGREE**  
Communications, California  
State Polytechnic University

 **LICENSES**  
**REAL ESTATE SALESPERSON**  
State of California  
CA#01829708

**NOTARY PUBLIC**  
State of California

 **AFFILIATIONS**  
**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar

## FUN FACT!

Ramie is originally from Eritrea, a small country in East Africa. She was born during the Eritrean War of Independence and both of her parents were freedom fighters. The Eritreans fought for independence from Ethiopia for over 20 years. Ramie, her sister and parents moved to the United States when she was a young child. Ramie speaks three languages and remains active within the Eritrean community.

## PROJECT EXPERIENCE

### CALIFORNIA HIGH SPEED-RAIL PROJECT

California High-Speed Rail Authority | Fresno, CA | 2016 - Ongoing

The California High-Speed Rail Authority is responsible for planning, designing, building, and the operation of the first high-speed rail system in the nation. Ramie was part of the consultant team providing right-of-way support on Construction Package 1, a 23-mile segment between Avenue 19 in Madera County to East American Avenue in Fresno County. She organized and managed an intense conveyance and permit process for the Authority preparing and tracking over 1000 conveyance packages including coordination with owners, utilities and stakeholders.

### WEST VALLEY CONNECTOR BUS RAPID TRANSIT PROJECT

San Bernardino County Transportation Authority | San Bernardino, CA | 2020 - Ongoing

This is a 35 mile long street widening to accommodate a bus travel lane including 60 station platforms and 33 intersection improvements. Ramie is the Project Manager responsible for the oversight and management of the program and four Consultant teams. She is responsible for preparation of the RAMP, bid documents for appraisal, right-of-way engineering and right-of-way services. Ramie drives the schedule and works collaboratively with the client to deliver the project.

### HOLLAND ROAD OVERPASS PROJECT

City of Menifee | Menifee, CA | 2016 - 2018

The Holland Overpass Project will include a four-lane overpass that will span the length of Interstate-215 at Holland Road, opening up some room for traffic on the city's widely traveled east-west routes, Newport Road and Scott Road. The goal is to improve safety and mobility for the City of Menifee by providing an additional east-west I-215 overcrossing. Ramie was the Project Manager responsible for overseeing the right-of-way effort, including ordering appraisals and title reports, acquisition and negotiations of over 10 parcels, and coordinating escrow.

### I-15 @ FRENCH VALLEY PARKWAY INTERCHANGE PROJECT

City of Temecula | Temecula, CA | 2011 - 2014

As Project Manager, Ramie managed the right-of-way acquisition process with TY Lin which involved over 20 partial acquisitions of commercial, industrial and vacant land properties. Her responsibilities including oversight of the appraisal, acquisition, escrow and right-of-way certification process.

### CENTENNIAL CORRIDOR IMPROVEMENT PROJECT

City of Bakersfield | Bakersfield, CA | 2013 - 2016

The City of Bakersfield, in cooperation with Caltrans, built a new east-west transportation corridor for SR-58. Ramie took on a unique roll to manage an intense amount of data and document

## RAMIE'S PROJECT EXPERIENCE CONTINUED

needs in a compressed time frame. Ramie provided coordination and preparation of over 100 acquisition and relocation documents through management of the project controls department that managed the project schedule, budget, quality controls procedures and production of real estate documents. Ramie also provided escrow coordination assistance, for both real property and business interests.

### STATE ROUTE 91 CORRIDOR IMPROVEMENT

Riverside County Transportation Commission | Riverside, CA | 2012 - 2017

This was a high-profile, politically sensitive design-build project involved over 450 partial and full acquisitions with varying degree of difficulty, and approximately 250 residential and business relocations. This project widened approximately 16 miles of active highway through the urbanized area of Corona and the County of Riverside. Ramie was responsible for project coordination and assisted with management of all elements of the right of way acquisition for this project.

### I-10 EXPRESS LANES PROJECT

San Bernardino County Transportation Authority | San Bernardino, CA | 2017 - 2019

Ramie was the Project Manager and managed the acquisition services to over 200 properties affected by this design-build freeway widening project. She was responsible for the coordination with acquisition and relocation teams, escrow, title, and appraisal firms. Ramie maintained a monthly project schedule and controlled right of way capital costs.

### OMNITRANS sbX E STREET RAPID BUS TRANSIT PROJECT

Cities of San Bernardino/Loma Linda/SBCTA | San Bernardino, CA | 2010 - 2013

Ramie worked as the Omnitrans Right-of-Way Manager supporting Federal Transit Administration (FTA) oversight of the acquisition process. The project involved approximately 152 permanent and temporary takes and included transit planning, public relations, architectural/engineering, environmental clearance, preliminary engineering, and final design. The enhanced rapid transit service enhances bus transit from California State University, San Bernardino, to the Loma Linda Medical Center/Veterans Hospital along the E Street, Hospitality Lane corridor.

### SR-91 HOV IMPROVEMENT PROJECT

Riverside County Transportation Commission Riverside | Riverside, CA | 2010 - 2013

Ramie served as a Senior Acquisition Agent and obtained Right of Entry Grants for over 30 properties and acquisition services to over 80 properties affected by this highway widening project. This included coordination with escrow, title, appraisal, and environmental firms. She maintained a monthly project schedule and obtained various temporary permits from commercial landowners, public agencies, BNSF and Union Pacific Railroad Companies. Ramie partook in the preparation of certification forms for various parcel groups which requires coordination with project managers and staff and utility and demolition staff.

### HWY 86 TRANSMISSION PIPELINE PROJECT - AVE 74 TO AVE 86

Coachella Valley Water District | Coachella Valley, CA | 2010 - 2012

This unique project required acquisition of tribal land to support the burial of transmission lines. Ramie acquired 3 parcels of Indian Land which required coordination with both Indian tribes and Bureau of Indian Affairs (BIA). She provided all acquisition services including escrow coordination and title clearance for the acquired properties.

## RAMIE AT A GLANCE



STRONG MANAGEMENT  
SKILLS AND EXPERIENCE



WELL VERSED IN  
UNIFORM ACT



EXTENSIVE CALTRANS  
EXPERIENCE



CONFIDENT LEADER OF  
LARGE TEAMS



SKILLED IN BRINGING  
ADVERSARIES  
TOGETHER

# PATTI FEIST, SR/WA

QA/QC MANAGER



Patti has been in the right-of-way and real estate services industry for over 25 years. She oversees the planning, management, and the achievement of project objectives within scope and budget. Patti provides coordination and oversight for complex and non-complex projects involving Caltrans certification, acquisition and relocation. Patti is knowledgeable in Federal, State and local laws, regulations, and policies related to eminent domain, easements, rights of entry, and other right-of-way technical and legal activities involved with the formal process of acquiring right-of-way.

## 25 YEARS EXPERIENCE

### EDUCATION

**COURSEWORK**  
Business, Bismarck State  
College and College of the  
Desert

### LICENSES

**SENIOR RIGHT-OF-WAY AGENT**  
International Right-of-Way Association

**REAL ESTATE SALESMAN**  
State of California  
CA#01810975

**NOTARY PUBLIC**  
State of California

### AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar

### FUN FACT!

Patti is an outdoor enthusiast and has spent years fly fishing, riding and caring for horses, and hunting in Montana. She tends a large garden and spends a lot of time keeping the wildlife away from the fruits of her labor. Patti enjoys spending time with her large family and is secretly a tech wiz!

## PROJECT EXPERIENCE

### METRO GOLD LINE

**Foothill Extension Construction | Monrovia, CA | 2020 - Ongoing**

As the Relocation and Quality Control Manager, Patti is responsible for the relocation services to residences and businesses affected by the Gold Line extension project in the cities of Arcadia, Monrovia and Glendora. Patti is the liaison between the client and owners and tenant's attorneys and responsible for identification of qualifying compensable items, negotiation of goodwill as applicable, the preparation and review of claims and status reports, relocation claims, and working with contractors to obtain accurate estimates to successfully resolve all relocation issues.

### CALIFORNIA HIGH SPEED-RAIL PROJECT

**California High-Speed Rail Authority | Fresno, CA | 2016 - Ongoing**

The California High-Speed Rail Authority is responsible for planning, designing, building, and the operation of the first high-speed rail system in the nation. Patti is a key member of the consultant team providing right-of-way support on Construction Package 1, a 23-mile segment between Avenue 19 in Madera County to East American Avenue in Fresno County. She is responsible for the organization and management of an intense utility conveyance and permit process for the Authority preparing and tracking known and unknown utilities and coordination with owners, utilities and stakeholders.

### I-10 EXPRESS LANES PROJECT – DESIGN BUILD

**San Bernardino County Transportation Authority | San Bernardino, CA | 2018 - 2021**

The I-10 Express Lanes project is a design-build project widening 10 miles of I-10 from I-15 to the Los Angeles/San Bernardino County border. The project includes two tolled lanes in each direct and auxiliary lanes between existing on and off ramps. As a Project Manager, Patti was responsible for many of the complex property acquisitions involving severance damage analysis and mitigation to commercial and industrial properties.

### I-10/CHERRY VALLEY BLVD INTERCHANGE PROJECT

**Riverside Transportation Department | Riverside, CA | 2019 - 2021**

This project involved the reconstruction of I-10 at Cherry Avenue Interchange by realigning the on and off ramps, replacing the existing Cherry Avenue Overcrossing, widening of Cherry Avenue from 5 lanes to 7 lanes with sidewalks on both sides of the street. Patti led the team of acquisition agents to acquire the necessary right-of-way for the project and obtain right-of-way certification from Caltrans. She also provided cost estimating services of probable costs for right-of-way acquisition and service costs during the environmental planning phase.

## PATTI'S PROJECT EXPERIENCE CONTINUED

### STATE ROUTE 60 AT WORLD LOGISTICS CENTER PARKWAY (WLC PKWY) INTERSECTION

City of Moreno Valley | Moreno Valley, CA | 2018 - 2020

Patti was the Project Manager responsible for providing project cost estimating services in order to develop an estimate of probable costs for right-of-way acquisition and service costs necessary to complete the project. This included the preparation of various project alternative cost estimates, data sheet preparation, final update to include an estimate abstract.

### ETIWANDA AVENUE GRADE SEPARATION PROJECT

City of Rancho Cucamonga | Rancho Cucamonga, CA | 2018 - 2020

Patti was responsible for the right-of-way acquisition, tenant acquisitions, relocation of commercial and residential properties for the grade separation project. The project consists of 18 properties with 2 full takes and 16 permanent and or temporary construction easements and complex business relocations.

### AVENUE 44 ALL-WEATHER BRIDGE

City of Indio | Indio, CA | 2018 - 2020

Patti was the Project Manager responsible for completing the acquisition and relocation services required for the project. The project requires the full acquisition and relocation activities for single family residences and partial permanent and temporary acquisitions from properties owned by utilities, tribal ownerships, and private ownerships that are either undeveloped or developed with multi-family improvements. The project involves a total of 8 parcel acquisitions.

### HIGHWAY 111, RANCHO MIRAGE PHASE 1, 2, 3, AND 4

City of Rancho Mirage | Rancho Mirage, CA | 2016 - 2020

The project involved right-of-way acquisition for over 110 property owners. Acquisition services, relocation assistance and appraisal for the widening of State Highway 111 within the city limits of the City of Rancho Mirage including the area known locally as "Restaurant Row". This highway widening project involved an interesting mix of vacant development sites, existing commercial and retail uses, and residential, golf course/country club, and office. The project team encountered several mobile home parks, some trailer courts, service stations, car washes, automobile dealers, and shopping centers.

### DUNE PALMS ROAD BRIDGE PROJECT

City of La Quinta | La Quinta, CA | 2018 - 2019

Patti was the Project Manager responsible for the acquisition and relocation services of mobile homeowners, a residential tenant and relocation plan. The project removed a low-water crossing and installed a bridge with sidewalk on both side and bike/golf cart lanes connecting this bridge with the widening of Dune Palms Road.

### SR-91 HOV IMPROVEMENT PROJECT

Riverside County Transportation Commission | Riverside, CA | 2010 - 2013

Patti served as a Senior Acquisition Agent and obtained Right of Entry Grants for over 30 properties and acquisition services to over 80 properties affected by this highway widening project. This included coordination with escrow, title, appraisal, and environmental firms. She maintained a monthly project schedule and obtained various temporary permits from commercial landowners, public agencies, BNSF and Union Pacific Railroad Companies. Preparation of certification forms for various parcel groups which requires coordination with project managers and staff and utility and demolition staff.

## PATTI AT A GLANCE



BUSINESS RELOCATION  
EXPERT



EXPERIENCED WITH  
BOTH LARGE AND SMALL  
PROJECTS



FLUENT IN BOTH ENGLISH  
AND SPANISH



A HANDS ON MANAGER



MASTER OF FEDERAL  
AND STATE LAW

# CURTIS BIBOLET, SR/WA, R/W-AMC

PROPERTY MANAGEMENT MANAGER



As a certified right of way professional, Curtis possesses an abundance of real estate transaction, property management, and utility coordination expertise. He has over 13 years of experience managing best practices, regulatory procedures, and logistics for property management and utility coordination projects on behalf of public agencies. With his friendly demeanor, Curtis provides oversight and quality review for Monument agents. He is focused on maximizing revenue, clearing encroachments, and mitigating utility conflicts for his clients.

## 13 YEARS EXPERIENCE



### EDUCATION

**BACHELORS DEGREE**  
Communications Studies,  
Minor in Business, University  
of Idaho



### LICENSES

**SENIOR RIGHT-OF-WAY AGENT**  
International Right-of-Way Association

**RIGHT-OF-WAY ASSET  
MANAGEMENT**  
International Right-of-Way Association

**REAL ESTATE SALESMAN**  
State of California  
CA#02008725



### AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar



## FUN FACT!

Curtis is a boating enthusiast even though his acronym for BOAT means "Bust Out Another Thousand." He is exceptional at producing large crawfish boils and his favorite food is creole. He played football in college and married his college sweetheart.

## PROJECT EXPERIENCE

### AVENUE N IMPROVEMENT PROJECT, 18TH STREET WEST TO 10TH STREET WEST

City of Palmdale | Palmdale, CA

Curtis provided comprehensive utility research and coordination oversight services to relocate up to seven utility facilities in conflict with the Avenue N improvements. Curtis contacted utility companies to obtain as-builts and perform on-site utility verification. He also coordinated potholing activities, as necessary, to confirm utility locations. Curtis worked with the right-of-way team to finalize project documents and obtain Caltrans Certification for all right-of-way and utilities clearances.

### ROSECRANS AVENUE BRIDGE REPLACEMENT OVER THE LOS ANGELES RIVER CHANNEL PROJECT,

City of Paramount | Paramount, CA

Curtis provided utility clearance for this bridge replacement project. He engaged with multiple utility owners including AT&T, Charter, Chevron, Los Angeles County Sanitation District, Metropolitan Water District of Southern California, Park Water Company, Plains All American, Southern California Edison, and SoCal Gas.

### HIGUERA STREET BRIDGE REPLACEMENT

City of Culver City | Culver City, CA

Curtis coordinated and relocated three utility companies' facilities in this bridge replacement project. He prepared a draft utility certification binder and provided it to Caltrans District 7 for early quality review. When it passed, he prepared the utility documentation for the final Caltrans Certification binder and provided it to the design engineer team to include with their right-of-way certification package.

### OCEAN BOULEVARD BIKE TRAIL CONNECTOR

Port of Long Beach, Long Beach, CA

Curtis worked as Utility Manager for this ATP-funded bike trail connector project for the Port of Long Beach. Curtis obtained as-builts from the 25 potentially impacted utility companies, coordinated pothole investigations at 8 locations, and coordinated the relocation of 3 facilities.

### MT. VERNON VIADUCT OVER BNSF INTERMODAL YARD REPLACEMENT DESIGN-BUILD

San Bernardino County Transportation Authority (SCBTA) | San Bernardino, CA

The Mt. Vernon Viaduct over BNSF Intermodal Yard Replacement is a \$140 million Design-Build project owned by San Bernardino County Transportation Authority involving the demolition of the existing viaduct over the BNSF Intermodal Yard in the City of San Bernardino and construction

## CURTIS' PROJECT EXPERIENCE CONTINUED

of a new bridge over 1,000' in length. Funding sources and stakeholders include Federal Highway Administration, Federal Highway Bridge Program, Caltrans, and BNSF Railway. Curtis doing Property Management and Demolition. Board-ups, fencing, engaging law enforcement to remove trespassers and homeless, about 30 properties—47 structures. All residential. Coordinating testing for hazmat for lead paint.

### LENWOOD ROAD GRADE SEPARATION PROJECT

San Bernardino County Transportation Authority | Barstow, CA

For this grade separation project, Curtis worked on a full spectrum of right-of-way services for both the Preliminary Engineering/ Environmental Document and Final Design phases. The Project's purpose was to construct an overpass over the BNSF railroad. This impacted over 25 properties. Curtis provided oversight for demolition, clearance, and hazardous abatement for 15 structures.

### UTILITY & FILE REVIEW, PROPERTY MANAGEMENT ON-CALL CONTRACT

Riverside County Transportation Commission (RCTC) | Riverside, CA

As Property Management Lead, Curtis managed all activities and vendors performing weed abatement, hazardous material abatement, trash abatement, and homeless encampment abatement. He also provided a full detailed review of over 600 licenses, leases, and easements in existence along a 38-mile railroad corridor for the Commission. The process included reviewing the documents, performing site visits to verify facilities, identifying contractual deficiencies, identifying unauthorized encroachments, and recommending and implementing resolutions while monitoring and updating project databases. Other tasks involved creating new licenses for private-use owners and developing master license agreements or utility companies.

### SR-55 IMPROVEMENT PROJECT

Orange County Transportation Authority | Orange, CA

This project adds one general purpose lane, one carpool lane, and auxiliary lanes in each direction of SR-55 between I-405 and I-5 in order to reduce congestion and increase capacity. The project is funded through OC Go (formerly Measure M) in cooperation with Caltrans District 12 and federal funds. Curtis was the Utility Coordination Manager on this project involving 52 utility conflicts. Some of the utility relocations were highly complex, including Southern California Edison high-voltage transmission lines spanning overhead the freeway.

### PLANS, SPECIFICATIONS & ESTIMATES (PS&E) FOR BUNDY CANYON ROAD/SCOTT ROAD WIDENING

City of Menifee | Menifee, CA

Bundy Canyon/Scott Road is a two-lane rural corridor in southwest Riverside County between Interstate 15 and Interstate 215. With partial funding from the Western Riverside Council of Governments (WRCOG), the City of Menifee in partnership with the City of Wildomar is widening this three-mile corridor to six lanes from Haun Road to city limits at Sunset Avenue to improve safety and traffic flow. Curtis was the Utility Manager on this project and provided 25 pothole investigations and coordination for over 100 utility facility relocations.

### STATE ROUTE 60/CENTRAL AVENUE INTERCHANGE PROJECT

San Bernardino County Transportation Authority | Chino, CA

In cooperation with Caltrans and the City of Chino, SBCTA began the SR-60 Central Avenue Interchange Project to ease area traffic congestion. As the Senior Utility Manager, Curtis provided utility relocation coordination tasks and successfully certified this project with Caltrans District 8.

## CURTIS AT A GLANCE



PROPERTY MANAGEMENT  
EXPERT



DEDICATED MANAGER  
WHO ENSURES PROJECT  
SUCCESS



EXPERIENCED IN MAJOR  
TRANSPORTATION  
PROJECTS



STRONG RELATIONSHIPS  
WITH ALL STATE UTILITY  
COMPANIES



A CONSENSUS BUILDER

# DANIELA BORBE

ACQUISITION LEAD



Daniela has over 20 years of industry experience and possesses an extensive knowledge of all aspects of the real estate and right-of-way process. Over the span of her career she has managed numerous projects and successfully completed over 5,000 acquisitions and relocations for public improvement projects. She is responsible for the management of her acquisition and relocation staff and the budget and critical paths for each of her team's projects. Daniela is knowledgeable in Federal, State and local laws, regulations, and policies related to eminent domain, easements, rights of entry, and other right-of-way technical and legal activities involved with the formal process of acquiring right-of-way.

## 20 YEARS EXPERIENCE

### EDUCATION

**BACHELORS DEGREE**  
Public Administration, Babes  
Bolyai University, Romania

### LICENSES

**REAL ESTATE SALESPERSON**  
State of California  
CA#01511932

**NOTARY PUBLIC**  
State of California

### AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar

### FUN FACT!

Daniela came to America from her native country Romania and jumped right into the world of right-of-way. After a brief stint selling corduroys at JCPenney, she took a job at a local right-of-way company answering phones even though she barely spoke English. Through hard work and perseverance, she grew into the fierce professional that she is today.

## PROJECT EXPERIENCE

### SOUTH LAGUNA TUNNEL STABILIZATION AND SEWER REPLACEMENT PROJECT

[South Coast Water District | South Laguna Beach, CA](#)

Daniela has been working with South Coast Water District for ten years. This project widened and improved an underground sewer tunnel spanning two miles of Pacific Coast Highway. This project involved acquiring upgraded easements, new easements, and fee interest from over 214 properties. Daniela continues to provide acquisition services in additional phases of the project to date.

### BASTANCHURY WIDENING

[City of Yorba Linda | Yorba Linda, CA](#)

Daniela is the Project Manager for this project constructing road improvements along Bastanchury Road between Casa Loma Avenue & Eureka Avenue. The project improvements are constructed entirely within the public right of way with local funds. As a result, the need for voluntary right of entries over 8 properties is desired to complete the project. Right-of-way services provided include negotiations with property owners for voluntary right of entries, optional minimum value estimates to determine value of land and landscaping items located in conflict with the project, and project management services.

### CITY OF SANTA ANA PROJECTS

[City of Santa Ana | Santa Ana, CA](#)

[Warner Avenue Widening, Phase II](#). This project expands Warner Avenue from Oak Street to Grand Avenue by adding an additional lane of traffic and medians. This project will improve the flow of traffic and greatly improve commuter safety. Daniela is responsible for the acquisition of 20 full and partial take residential and commercial properties and over 17 residential relocations

[Grand Avenue Widening Project](#). As Acquisition Project Manager, Daniela provided oversight of overall project coordination. She worked with her staff to analyze acquisition impacts, prepare acquisition documents, negotiate with property owners, and compile project reports. She coordinated escrow and cleared encumbrances from titles to close out the project.

[Bristol Street Widening Project, Phases 3A & B](#). As Project Manager, Daniela provided oversight of overall project coordination and managed all elements of the right of way acquisition for this project, which entailed 28 partial and full acquisitions and relocation of 15 businesses and 23 residential occupants.

## DANIELA'S PROJECT EXPERIENCE CONTINUED

### INTERSTATE 405 IMPROVEMENT PROJECT

Orange County Transportation Authority | Orange, CA

Daniela was the Senior Project Manager providing project management oversight for the implementation of acquisition and relocation for this design-build project that will widen approximately 16 miles of active freeway between the SR-73 freeway in Costa Mesa and I-605 near the LA County line. She provided project management and acquisition services for the partial acquisition of 288 parcels. Daniela was also responsible for oversight and management of cost controls (including document control/budgets), schedules, and risk assessment.

### VARIOUS PROJECTS

City of Mission Viejo | Mission Viejo, CA

Daniela has been the go-to Project Manager for the City of Mission Viejo for over ten years. She provides advisory services for all right-of-way issues and provides all acquisition and relocation services for the City. She is currently managing the Oso Park On-Ramp Project on the I-5 Freeway.

### NORTH SPRING STREET VIADUCT PROJECT

City of Tustin | Tustin, CA

As the Project Manager for this street extension project, Daniela provided oversight and overall project coordination of applicable right-of-way services, including both acquisition and relocation. She worked with staff to analyze acquisition impacts, prepare acquisition and relocation documents, negotiate with one business owner, and compile reports.

### INTERSTATE 5 HOV IMPROVEMENT PROJECT

Orange County Transportation Authority | Orange County, CA

As Project Manager, Daniela provided oversight of overall project coordination of applicable right-of-way services. She developed and prepared acquisition formats and provided recommendation summaries of the impacts for OCTA. Daniela prepared acquisition documents, negotiated with property owners, provided escrow coordination, and compiled reports. She worked with OCTA to permanently relocate two commercial tenants.

### NASON STREET WIDENING PROJECT

City of Moreno Valley | Moreno Valley, CA

Daniela was the Project Manager for this street widening of Nason Street from Fir (SR-60 Freeway) to Cactus to support the new County hospital. She was responsible for acquiring thirty parcels and relocated one residence.

### WHITTIER AT BEACH INTERSECTION IMPROVEMENT PROJECTS

City of La Habra | La Habra, CA

As Project Manager, Daniela provided oversight of overall project coordination of applicable right-of-way services. She worked with staff to analyze acquisition impacts on six properties in the project area. Daniela developed and prepared acquisition formats and provided recommendation summaries of the impacts for the City. Prepared acquisition documents, negotiated with property owners, and compiled reports.

### ANAHEIM CANYON METROLINK PEDESTRIAN IMPROVEMENT PROJECT

City of Anaheim | Anaheim, CA

Daniela was the Project Manager and provided oversight of overall project coordination of applicable right-of-way services. She was responsible for the right of entry documents for over 20 property owners, negotiated with property owners, and compiled right-of-way reports. She developed and prepared acquisition formats for two parcels and recommendation regarding the impacts to the City.

## DANIELA AT A GLANCE



TAKES CHARGE AND LEADS  
BOTH BIG AND SMALL  
PROJECTS



EXPERT IN RESIDENTIAL  
AND COMMERCIAL  
ACQUISITION



ODDLY FOND OF  
RELOCATION



MANAGES LARGE  
TRANSPORTATION  
PROJECTS



SKILLED AT IDENTIFYING  
AND MANAGING RISK

# JULY YOKOGAWA, RWP

SENIOR AGENT



July, pronounced "Julie", is a high-performance and results-driven acquisition and relocation agent with 8 years of experience in the industry. She has exceptional interpersonal skills working with property owners, and residential and commercial tenants. July is well versed in state and federal laws and regulations and is proficient at property negotiations, relocation assistance, title complication and clearance, permitting, feasibility studies, utility coordination and document processing. She has successfully completed over 1,000 transactions for public improvement projects.

## 8 YEARS EXPERIENCE



### EDUCATION

**BACHELORS DEGREE**  
Administration, Finance,  
California State Polytechnic  
University, Pomona, CA



### LICENSES

**RIGHT-OF-WAY AGENT-  
TRANSPORTATION**  
International Right-of-Way Association

**REAL ESTATE SALESMAN**  
State of California  
CA#01988927

**NOTARY PUBLIC**  
State of California



### AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar



## FUN FACT!

July is constantly brainstorming her next travel adventure or small business idea. She recently started a baking business which she runs on the side of her day job. She makes and sells homemade cream puffs in radical and tasty flavors. Check it out on Instagram at Crackle N Puff.

## PROJECT EXPERIENCE

### CALIFORNIA HIGH SPEED RAIL PROJECT

California High Speed Rail Authority | Fresno, CA

July is part of the consultant team providing right-of-way support on Construction Package 1, a 23-mile segment between Avenue 19 in Madera County to East American Avenue in Fresno County. She manages an intense conveyance and permit process for the Authority preparing and tracking over 1000 conveyance packages including coordination with owners, utilities and stakeholders.

### BASTANCHURY WIDENING

City of Yorba Linda | Yorba Linda, CA

July is a Senior Agent for this project constructing road improvements along Bastanchury Road between Casa Loma Avenue & Eureka Avenue. The project improvements are constructed entirely within the public right of way with local funds. As a result, the need for voluntary right of entries over 8 properties is desired to complete the project. Right-of-way services provided include negotiations with property owners for voluntary right of entries, optional minimum value estimates to determine value of land and landscaping items located in conflict with the project, and project management services.

### SOUTH LAGUNA TUNNEL STABILIZATION AND SEWER REPLACEMENT PROJECT

South Coast Water District | South Laguna Beach, CA

This project widened and improved an underground sewer tunnel spanning two miles of Pacific Coast Highway. This project involved acquiring upgraded easements, new easements, and fee interest from over 214 properties. July assists in providing acquisition services in continuing phases of the project.

### INTERSTATE 405 IMPROVEMENT PROJECT

Orange County Transportation Authority | Santa Ana, CA

As a Senior Acquisition Agent, July oversaw and handled property negotiations, appraisal coordination and segmental right-of-way certification for this design-build project that will widen approximately 16 miles of active freeway between SR-73 in Costa Mesa and I-605 near the LA County line. The project involves more that 250 properties. As an agent, she successfully acquired 70 commercial and residential partial acquisition properties out of 74 case files. July prepared all notice of decision to appraisal packages, offer packages, and correspondence notices and attended management meetings with the Client.

## JULY'S PROJECT EXPERIENCE CONTINUED

### LOSSAN IMPROVEMENT PROJECT

The LOSSAN Rail Corridor Agency | Orange, CA

Monument is part of the program management team responsible for ongoing right-of-way and real estate support. The commuter passenger rail will connect San Luis Obispo to San Diego. This Project will add a second track parallel to the existing track, and the addition of multiple stations along the train route. July is an integral part of the Monument Team responsible for right-of-way project management, and acquisition support services including appraisal coordination, acquisition, relocation, condemnation support, cost estimating and development of the design build procurement documents.

### ONTARIO TUNNEL PROJECT

San Bernardino County Transportation Authority | San Bernardino, CA

This design-build project includes the design and construction of a 3 mile tunnel transit modal connector which will connect the Metrolink station in Rancho Cucamonga to the Ontario Airport. July is instrumental in providing right-of-way project management, acquisition support services including appraisal coordination, acquisition, relocation, condemnation support, cost estimating and development of the design build procurement documents.

### I-15 EXPRESS LANES PROJECT

Riverside County Transportation Commission | Riverside, CA

As an agent, July successfully acquired and closed all 9 partial acquisition case files. The Project constructs tolled express lanes in each direction between the I-15/Cajalco Road interchange in Corona and the I-15/SR-60 interchange just south of the Riverside/San Bernardino County line (approximately 14 miles).

### I-215 PLACENTIA INTERCHANGE PROJECT

Riverside County Transportation Commission | Riverside, CA

July assisted the Project Manager with the acquisition of 2 full takes in this interchange project. She was responsible for all case work notices, offer packages and closing documents.

### MID COUNTY PARKWAY-PLACENTIA INTERCHANGE PROJECT

Riverside County Transportation Commission | Riverside, CA

As an agent, July assisted the Project Manager with acquisition and relocation tasks. She was responsible for preparation of offer letters and required notices. She assisted with schedule and document management.

### BRISTOL STREET WIDENING PROJECT, PHASES 3A AND 3B

City of Santa Ana | Santa Ana, CA | 2014 - 2017

As an agent, July transmitted documents to client, prepared relocation claim documents, and delivered funds to property owners and tenants. She prepared cost estimates, acquisition, relocation, and property management services associated with different phases of this project. As an agent, she successfully acquired 12 residential full acquisition properties and 4 residential partial acquisition properties out of 18 case files. July prepared all offer packages, notices and successfully permanently relocated 5 owner-occupied residential properties, 1 permanent business property (gas station), 5 permanent tenant-occupied residential properties, and 3 permanent owner-occupied residential properties.

## JULY AT A GLANCE



WICKED FAST AND  
ACCURATE



KEEPS THE PROJECT  
MOVING



MASTER OF  
SPREADSHEETS



MULTI-LINGUAL



EXCEPTIONAL  
COMMUNICATOR

# ALEX FLORES

AGENT



Alex has over nine years of experience in the real estate industry. He is responsible for residential and commercial acquisitions for both public and private sector client. His experience includes real estate management, market analysis, budget administration, and negotiation. Alex is well versed in federal, state, and local rules and regulations as well as the Caltrans Right of Way Manual.

9 YEARS EXPERIENCE



## LICENSES

### REAL ESTATE SALESMAN

State of California  
CA#01990255

### NOTARY PUBLIC

State of California



## AFFILIATIONS

### IRWA

International Right-of-Way  
Association

### NAR

National Association of  
Realtors



## FUN FACT!

Alex grew up wanting to be an archaeologist, which sparked his love for traveling. He has spent time in Thailand and plans to check Antarctica off his bucket list someday. When Alex isn't working, you can find him playing basket ball, golfing, or DIY-ing home improvements!

## EXPERIENCE

### SOUTH LAGUNA TUNNEL STABILIZATION AND SEWER REPLACEMENT PROJECT

South Coast Water District | South Laguna Beach, CA

This project widened and improved an underground sewer tunnel spanning two miles of Pacific Coast Highway. Alex is part of the right-of-way team providing acquisition services for this project which involved acquiring upgraded easements, new easements, and fee interest from over 214 properties.

### I-405 IMPROVEMENT PROJECT

OCTA | Orange, CA

This project is for the creation of new tolled express and general purpose lanes and miscellaneous widening improvements along the I-405 between SR-73 and I-605. As an agent, Alex was responsible for the coordination of cleanups and inspections for the closeout of the project. He also drafted closing documents for recording and obtaining TCE relinquishments.

### AVE S-8 AND 40TH ST E ROUNDABOUT PROJECT

City of Palmdale | Palmdale, CA

As an Acquisition Agent for this road improvement project, Alex was responsible for preparing offer documents and presenting and negotiating offers to property owners. He worked with five property owners to acquire part takes on residential and vacant land.

### PEDESTRIAN GAP CLOSURES

City of Lancaster | Lancaster, CA

Acquisition Agent. Alex was responsible for preparing offer documents and presenting and negotiating offers to property owners. Alex coordinated with four different property owners to acquire part takes on vacant and residential land.

Avenue J Interchange. Acquisition Agent. Alex was responsible for preparing offer documents and presenting and negotiating offers to property owners. He worked with two different property owners to acquire full takes for vacant land.

### I-10 EXPRESS LANES PROJECT

San Bernardino County Transportation Authority | San Bernardino County, CA

San Bernardino County Transportation Agency (SBCTA) in coordination with Caltrans proposed adding tollway lanes along the 33-mile segment of I-10 between the Los Angeles/San Bernardino County border and Ford Street in San Bernardino County to reduce traffic congestion. This high profile, politically-sensitive project involves over 450 partial acquisitions and complex partial acquisitions. As an Agent, Alex was responsible for part-take acquisitions as well as complex acquisitions of residential, commercial, and industrial parcels.

## ALEX'S EXPERIENCE CONTINUED

### PARAMOUNT BLVD. AT IMPERIAL HIGHWAY IMPROVEMENT PROJECT

City of Downey | Downey, CA

Acquisition agent. Alex was responsible for preparing offer documents and presenting and negotiating offers to property owners. He worked with 8 different parcels to acquire part takes for commercial and residential land and coordinated appraisal services.

### 7673 HALL AVE RELOCATION

County of Orange | Orange, CA

As an Agent, Alex conducted interviews for residential tenant occupants. He created tenant notification letters, notices of eligibility, and comparable housing analysis along with housing referrals for the relocation of 10 tenants. Alex reviewed and explained Notices of eligibility with tenants and Coordinated with the appraisal company.

### SR-91 CIP SURPLUS LAND SALE

Riverside County Transportation Commission | Riverside County, CA

Alex was the agent responsible for Public Agency notices, preparing offer packages consisting of analyzing appraisals and legal descriptions. He prepared marketing of parcels, offer submissions, and Purchase Agreements.

### A.J. PADEFORD PARK EXPANSION PROJECT

City of Artesia | Artesia, CA

Acquisition Agent. Alex was responsible for preparing offer documents and presenting and negotiating offers to property owners. He worked with five different property owners to acquire part takes on residential and vacant land.

### WESTBOUND SR-91 ALONDRA BOULEVARD TO SHOEMAKER AVENUE IMPROVEMENT PROJECT

LA Metro | Los Angeles County, CA

Acquisition Agent. Alex was responsible for preparing offer documents and presenting and negotiating offers to property owners. He worked with two different property owners to acquire part takes on residential and vacant land.

## ALEX AT A GLANCE



RESIDENTIAL &  
COMMERCIAL ACQUISITION  
EXPERT



RELOCATION WIZARD



A HANDS ON MANAGER



A GUY YOU LIKE TO WORK  
WITH!



MASTER OF FEDERAL  
AND STATE LAW

# CAMI STIGALL, RWA

AGENT

**m**onument



Cami is experienced in relocation of both residential and commercial owners and tenants. She has assisted project teams with acquisition of full and part takes including easements, partial easement and permanent rights. Cami excels at managing large quantities of data and developing and maintaining project deliverables under the direction of the project manager and client. Cami's responsibilities have included coordination of project materials and research, generating schedules, reports, managing meeting minutes, and updating project information.

3 YEARS EXPERIENCE

## EDUCATION

**MASTERS DEGREE**  
Reading and Instruction  
and Administration, Loyola  
Marymount University, Los  
Angeles, CA

**BACHELORS DEGREE**  
Psychology, Loyola  
Marymount University, Los  
Angeles, CA

## LICENSES

**REAL ESTATE SALESMAN**  
State of California  
CA#02156107

## AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar

## FUN FACT!

Cami used to be a grade school teacher and has continued her passion for education in fitness. As a fitness instructor, she educates her clients about the importance of body movement and mental awareness. She helps clients find balance in their everyday life.

## PROJECT EXPERIENCE

### **SOUTH LAGUNA TUNNEL STABILIZATION AND SEWER REPLACEMENT PROJECT**

South Coast Water District | South Laguna Beach, CA | DATES? 2021-2022?

This project widened and improved an underground sewer tunnel spanning two miles of Pacific Coast Highway. Cami is part of the right-of-way team providing acquisition services for this project which involved acquiring upgraded easements, new easements, and fee interest from over 214 properties.

### **STATE ROUTE 49 BIKE AND SIDEWALK IMPROVEMENT**

Placer County Transportation Planning Authority | Auburn, CA

This Project will close the gaps between sidewalks in the approximately 4.4-mile Highway 49 corridor between Interstate 80 and Dry Creek Road, creating a continuous sidewalk on at least one side of the highway. Cami is part of the Monument team providing acquisition services and waiver valuations. The right-of-way includes the acquisition of 50 parcels in support of the new sidewalks which include both residential and businesses. A few of the business relocations include a lawn maintenance equipment company, a commercial glass shop, a convenience store, and a car wash.

### **WEST VALLEY CONNECTOR BUS RAPID TRANSIT PROJECT**

San Bernardino County Transportation Commission | San Bernardino, CA | 2020 - Ongoing

This is a 35 mile long street widening to accommodate a bus travel lane including 60 station platforms and 33 intersection improvements. Cami currently supports the Project Manager in oversight and management of the program and four consultant teams. She is responsible for preparation of the RAMP, bid documents for appraisal, right-of-way engineering and right-of-way services. Cami has completed the schedule, client approved documents and reporting structure.

### **CALIFORNIA HIGH-SPEED RAIL PROJECT**

California High-Speed Rail Authority | Fresno, CA | 2019 - Ongoing

The California High-Speed Rail Authority is responsible for planning, designing, building, and the operation of the first high-speed rail system in the nation. Most recently, Cami is a part of the consultant team providing right-of-way support on Construction Package 1, a 23-mile segment between Avenue 19 in Madera County to East American Avenue in Fresno County. Cami assists in an intense conveyance and permit process for the Authority preparing and tracking over 1000 conveyance packages including coordination with owners, utilities and stakeholders.

### **SAFCA LEVEE IMPROVEMENT PROJECT**

Sacramento Area Flood Control Agency | Sacramento Area, CA | 2019 - 2020

As part of SAFCA's levee improvement program, Cami assisted the Project Manager and acquisition team in preparing client status summaries, ordering and analyzing title reports, compiling parcel information, preparing acquisition documents and agreements.

# JOEY MENDOZA

PRINCIPAL IN CHARGE



Joey has over 30 years of experience in program and project management in right-of-way and has delivered a broad spectrum of projects including grade separation, highway expansion, and interchange improvement. He has successfully managed and executed over 10,000 acquisitions, relocations and real estate related transactions for public projects throughout California. He is considered one of the industry leaders in right-of-way program management, preparation of detailed project management plans, cost estimates and budgetary reports for large public sector projects.

## 33 YEARS EXPERIENCE

### EDUCATION

**COURSEWORK**  
Business Administration,  
California State University,  
Long Beach

### LICENSES

**REAL ESTATE BROKER**  
State of California  
CA#01144860

### AFFILIATIONS

**IRWA**  
International Right-of-Way  
Association

**WTS**  
Women's Transportation  
Seminar

**ACEC**  
American Council of  
Engineering Companies

### FUN FACT!

When he isn't strategizing about project delivery, Joey can be found in his man cave woodworking with his assistant, his English bulldog. He likes to build custom furniture and décor pieces for his family. Joey is a sports fanatic, avid golfer, and world traveler

## PROJECT EXPERIENCE

### METROLINK SCORE PMSS

*Southern California Regional Rail Authority | Los Angeles, CA | 2020 - Ongoing*

The Southern California Regional Rail Authority is upgrading several of Metrolink's current regional passenger rail services along the existing San Bernardino line with the objective of improving the safety and reliability of the existing rail system as well as increasing capacity along its existing rail corridor. As Right-of-Way Program Manager, Joey provides oversight and guidance for the coordination of fee and review appraisals for the Prime Contractor.

### INGLEWOOD TRANSIT CONNECTOR

*City of Inglewood | Inglewood, CA | 2022 - Ongoing*

The ITC Project is a 1.6 mile long elevated automated people mover that will provide direct connections between the LA Metro Crenshaw/LAX Line and Inglewood's major employment, commercial, housing, sports and entertainment centers. The Project will have three stations including one at Market Street/Florence Avenue, Manchester Blvd/Prairie Avenue, and Hardy Street/Prairie Avenue with the maintenance and storage facility (MSF) located at Manchester Blvd and E. Spruce Avenue. Monument is assisting the City of Inglewood with strategic planning and implementation. This includes 60 business relocations and 70 acquisitions. Joey is Monument's Project Manager for this landmark Project and is responsible for overall Right-of-Way Project Management and the most challenging Business Relocations.

### INTERSTATE 405 IMPROVEMENT PROJECT

*Orange County Transportation Authority | Orange, CA | 2015 - Ongoing*

Joey is responsible for the development, implementation, and overall delivery of the necessary right-of-way to construct this 16-mile design-build project of the I-405 between State Route 55 and the I-605. This project consisted of 288 partial acquisitions affecting residential, commercial, retail, motels, public facilities, federal lands, and a regional shopping mall, which required right-of-way certification and release to the design-build contractor in segmented parcel groups. Joey led the right-of-way program that includes real estate appraisals, appraisal reviews, parcel mitigation planning, property negotiations, title and escrow, relocation assistance, condemnation coordination, certification, scheduling, cost estimating, risk management, and project closeout. The project boasts 100% of right-of-way delivered on schedule with no delays to construction. The project involved minimal condemnation due to the high settlement rate. Joey was part of a think tank that developed new processes which saved OCTA millions of dollars and accelerated the delivery process. Project Cost: \$1.9 billion including \$145 million in right-of-way capital costs.

## JOEY'S PROJECT EXPERIENCE CONTINUED

### MOUNT VERNON AVENUE BRIDGE REPLACEMENT PROJECT

San Bernardino County Transportation Commission | San Bernardino County, CA | 2018 - 2020

Joey was responsible for managing the right-of-way acquisition program and oversight of the day-to-day activities of the consultant team for the design-build bridge replacement project. This included acquisition, relocation, title, appraisal, appraisal review, demolition, property management, right-of-way certification, eminent domain support, and construction oversight. Joey was instrumental in the development of the design-build procurement documents, analysis of proposed ATC's, preparation of cost estimates, federal funding authorization applications, and budget and schedule management. Built in 1934, the Mount Vernon bridge has been declared by Caltrans as structurally deficient and functionally obsolete and in desperate need of replacement. The project involves the demolition of the existing bridge and complete construction of a new bridge. The right-of-way associated with this project consisted of 32 full take acquisitions, 12 partial acquisitions and displacement of 45 residential homes. Project Cost: \$250 million including \$17 million of right-of-way capital costs.

### CALIFORNIA HIGH SPEED-RAIL PROJECT

California High-Speed Rail Authority | Fresno, CA | 2016 - Ongoing

The California High-Speed Rail Authority is responsible for planning, designing, building, and the operation of the first high-speed rail system in the nation. Joey is a key member of the consultant team providing right-of-way support on Construction Package 1, a 23-mile segment between Avenue 19 in Madera County to East American Avenue in Fresno County. He is responsible for the organization and management of an intense utility conveyance and permit process for the Authority preparing and tracking known and unknown utilities and coordination with owners, utilities and stakeholders.

### STATE ROUTE 91 CORRIDOR IMPROVEMENT

Riverside County Transportation Commission | Riverside, CA | 2012 - 2017

Joey was responsible for planning, managing, and implementing a wide array of right-of-way activities during the environmental phase including strategic planning, cost estimating, and market trend analysis; risk identification and management; public outreach; design-build procurement process; corridor analysis, and early and advance acquisition. Joey fully implemented and oversaw the entire right-of-way process, policy development, and coordination with state and federal regulatory agencies. This high-profile, politically sensitive design-build project involved over 450 partial and full acquisitions with varying degree of difficulty, and approximately 250 residential and business relocations. This project widened approximately 16 miles of active highway through the urbanized area of Corona and the County of Riverside. Project Cost: \$1.3 billion including \$250 million of right-of-way capital costs.

### STATE ROUTE 91 HIGH OCCUPANCY VEHICLE GAP CLOSURE

Riverside County Transportation Commission | Riverside, CA | 2010 - 2014

Joey was responsible for this seven-mile freeway widening project through the developed corridor of Downtown Riverside. The right-of-way associated with this project consisted of significant partial acquisitions affecting commercial, retail, and public agency facilities, acquisition of railroad properties, and relocation of several complex businesses. Joey was responsible for overall management and implementation of the right-of-way delivery process, as well as coordination with the various disciplines for project design, right-of-way engineering, appraisal, environmental, Riverside County Transportation Commission (RCTC) counsel, and California Department of Transportation (Caltrans) functional leads. Project Cost: \$650 million including \$50 million in right-of-way costs.

## JOEY AT A GLANCE



JOEY HAS SAVED CLIENTS  
OVER 50 MILLION DOLLARS  
IN 5 YEARS



EXPERT IN DESIGN-BUILD  
AND DESIGN-BID-BUILD



SKILLED AT IDENTIFYING  
AND MANAGING RISK



RESPECTED BY HIS  
CLIENTS FOR HIS  
KNOWLEDGE



ABLE TO BRING PARTIES  
TOGETHER FOR  
SUCCESS

*"The company leadership includes Mr. Joey Mendoza who is extremely well versed in acquisition and relocation elements and second to none in understanding the industry. Knowledgeable clients already understand that having Joey on your team means delivering a successful acquisition program that will exceed your needs."*

**- JOE TOOLSON  
VICE PRESIDENT, MOTT  
MACDONALD**

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**ACQUISITION INCENTIVE PROGRAM MEMORANDUM**

EXHIBIT  
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State of California  
DEPARTMENT OF TRANSPORTATION

California State Transportation Agency

**M e m o r a n d u m**

*Serious drought  
Help Save Water!*

To: DISTRICT DIRECTORS  
DISTRICT REGION RIGHT OF WAY MANAGERS

Date: June 12, 2014

File: Acquisition

From: BRENT L. GREEN   
Chief  
Division of Right of Way and Land Surveys

Subject: **ACQUISITION - INCENTIVE PAYMENT PROGRAM**

The Federal Highway Administration (FHWA), Office of Real Estate Services has determined that the FHWA may participate in right-of-way acquisition incentive payments made under an FHWA approved plan or program. Acquisition incentive payments (Payments) are payments that are over and above the just compensation offer provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act). Recent studies on the use of incentive payments on transportation projects demonstrate that they can be effective in decreasing the time needed to acquire and clear needed rights-of-way.

The authority for the FHWA to participate in incentive payments is found in 23 CFR 710.203(b)(2)(ii) which allows Federal participation in relocation assistance and payments provided under the law of the State that may exceed the requirements of 49 CFR Part 24. The FHWA has the general authority to participate in the costs of construction that includes costs of right-of-way acquisition (See 23 U.S.C. § 101(a)(3)). The use of incentive payments for right-of-way acquisition is analogous to the use of incentive/disincentive provisions for early completion in contracts for construction of Federal aid projects (See 23 CFR 635.127(d)).

This policy is consistent with the intent of the Uniform Act in that it encourages the expeditious acquisition of real property. Language in the implementing regulation focuses on the assurance that property owners and displaced persons receive at least the level of benefits to which they are entitled.

Considering fluctuating costs and trends for real estate and construction labor and materials, as well as the negative public perception of the court expense and project delay costs associated with the application of eminent domain, it is clearly in the public interest to use any tool available to produce transportation projects quickly with as little reliance on condemnation as possible.

The California Department of Transportation (Caltrans) is authorized to make incentive payments under California Law. Although California statutes do not specifically address incentive payments, they do require that written offers to owners for the purchase of their property be based on the fair market value of the property (just compensation). Caltrans has long

*"Provide a safe, accessible, integrated and efficient transportation system  
to enhance California's economy and livability"*

**ACQUISITION INCENTIVE PROGRAM MEMORANDUM (CONT.)**

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applied administrative settlements (justified offers above appraised amounts) during negotiations which have as their foundation the appraised value. Similarly, Payment amounts will be based on the appraised value. In fact, the use of Payments does not preclude the use of administrative settlements and each administrative settlement will require independent support.

The procedures on Payments incorporate the same level of safeguard against coercive negotiation practices as do standard Caltrans Right of Way procedures. Per Federal regulation, Caltrans is required to allow at least thirty (30) days for property owners to consider an offer prior to initiating the condemnation process (See 49 CFR 24.102(f) and Appendix A). Projects and parcels acquired using acquisition incentive offers will be subject to the same quality control and quality assurance processes that are used for all Caltrans Right of Way activities.

The Division of Right of Way and Land Surveys is implementing an acquisition incentive program to encourage property owners to sign Right of Way (ROW) contracts within sixty (60) days of the Initiation of Negotiations (ION) or any offer based on an approved appraisal revision. Payments will be offered for both permanent and temporary acquisitions.

The Payment for a permanent or temporary acquisition will be based on a lump sum payment of 10% of the appraised value of all parcels under the same ownership with a minimum payment of \$1,000 and a maximum payment of \$100,000.

Acquisition Type	Incentive Amount	Minimum Payment	Maximum Payment
Temporary or Permanent	10% of Appraisal	\$1,000	\$100,000

The Payment amount will be calculated on the final appraised value and will then be rounded separately from the final appraised value based on the rounding rules found in Section 7.02.11 of the Right of Way Manual.

Example 1:

Appraised Value	\$	22,400.00
Calculated at 10%	\$	2,240.00
Rounded (R/ W Manual 7.02.11)	\$	2,250.00
<b>Incentive Payment for Acquisition</b>	<b>\$</b>	<b>2,250.00</b>

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

ACQUISITION INCENTIVE PROGRAM MEMORANDUM (CONT.)

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DISTRICT DIRECTORS  
DISTRICT REGION ROW MANAGERS  
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Example 2:

Appraised Value	\$	359,000
Calculated at 10%	\$	35,900
Rounded (R/ W Manual 7.02.11)	\$	35,900
<b>Incentive Payment for Acquisition</b>	<b>\$</b>	<b>35,900</b>

Example 3:

Appraised Value	\$	2,658,000
Calculated at 10%	\$	265,800
Maximum Incentive Payment = \$100,000.00	\$	100,000
<b>Incentive Payment for Acquisition</b>	<b>\$</b>	<b>100,000</b>

The Payment is a standing offer for sixty (60) days. The 60 days starts with the Initiation of Negotiations (ION) as day one (1). The 60 days includes weekends and holidays. For mailed offers it starts on the date the offer was received by certified mail.

If the 60th day falls on a weekend or holiday and the agent working with the grantor will not be available to conduct business with the grantor, the agent may end the incentive period on the first state working day after the 60 day period is complete. Personal leave of the agent working with the grantor will not be cause to extend the incentive period. An alternate agent should be identified to address the issue.

The Payment offer will end at the execution of the right of way contract or at 5:00 pm of the 60th day if a right of way contract has not been signed by the grantor. The 60 days will restart with a new offer based on an approved appraisal revision if one is deemed necessary by Caltrans. An appraisal revision may result in a change in the Payment amount.

The Payment is a standing offer for sixty days regardless of Caltrans initiating eminent domain proceedings. Additionally, this time period will be sufficient to allow the property owner the opportunity to obtain their own appraisal where Caltrans pays the reasonable cost of the appraisal up to \$5,000 as provided by California Code of Civil Procedure section 1263.025.

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

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DISTRICT DIRECTORS  
DISTRICT REGION ROW MANAGERS  
June 12, 2014  
Page 4 of 4

The following clause will be used in Right of Way contracts when the Payment program is used on a project:

“In addition to the Fair Market Value, it is agreed by and between the parties hereto that the amount in clause ~~##~~ above includes the sum of \$ \_\_\_\_\_ as an incentive to the grantor for the timely signing of this Right of Way Contract. This incentive payment offer expires sixty (60) days from the Initiation of Negotiations (DATE).”

The Payment program may be used on any project that will benefit a district or region. If the Payment program is used on a project it must be applied to all parcels in the project regardless of type, size, appraisal amount, or ownership including public agencies.

The Payment program has the potential to add significant costs to Right of Way capital expenses. Project estimates (i.e., ROW data sheets and/or related documents) may need to be updated to reflect additional costs of Payments. It is advisable to consult with the District/Regional Right of Way Planning and Management Office and the Project Manager to ensure the project has funds available to participate in the Payment program. In order to track these Payments, attached is a sample Federal Participation Memo with the appropriate coding to be used.

While this is the initial Caltrans Payment program, other similar incentive programs may be developed that have different formulae for determining the amounts and/or situations (i.e. Relocation Assistance Program incentives). Such other incentive programs will be established via separate memoranda.

cc: Suzette M. Musetti, Chief, Office of Appraisals and Local Programs, ROW/LS  
Mark Turner, Chief, Office of Land Surveys, ROW/LS  
Michael J. Rodrigues, Chief, Office of Real Property Services, ROW/LS  
Rene Fletcher, Chief, Office of Project Delivery, ROW/LS  
Ben Martin, Chief, Office of Railroads & Utility, ROW/LS  
Lori Brownell, Chief, Office of Planning & Management, ROW/LS  
Paul Pham, Senior Right of Way Agent, ROW/LS  
Robert W. Dauffenbach, Senior Right of Way Agent, ROW/LS  
Mark Zgombic, Senior Right of Way Agent, ROW/LS  
Melani Millard, FHWA

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This content is from the eCFR and is authoritative but unofficial.

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**Title 23 –Highways****Chapter I –Federal Highway Administration, Department of Transportation****Subchapter H –Right-of-Way and Environment****Part 710 –Right-of-Way and Real Estate****Subpart B –Program Administration****Source:** 81 FR 57729, Aug. 23, 2016, unless otherwise noted.**Authority:** Secs.1302 and 1321, Pub. L. 112–141, 126 Stat. 405. Sec. 1307, Pub. L. 105–178, 112 Stat. 107; 23 U.S.C. 101(a), 107, 108, 111, 114, 133, 142(f), 156, 204, 210, 308, 315, 317, and 323; 42 U.S.C. 2000d et seq., 4633, 4651–4655; 2 CFR 200.311; 49 CFR 1.48(b) and (cc), parts 21 and 24; 23 CFR 1.32.**Source:** 64 FR 71290, Dec. 21, 1999, unless otherwise noted.**§ 710.203 Title 23 funding and reimbursement.**

- (a) **General conditions.** Except as otherwise provided in § 710.501 for early acquisition, a State agency only may acquire real property, including mitigation property, with title 23 grant funds if the following conditions are satisfied:
- (1) The project for which the real property is acquired is included in an approved Statewide Transportation Improvement Program (STIP);
  - (2) The grantee has executed a project agreement or other agreement recognized under title 23 reflecting the Federal funding terms and conditions for the project;
  - (3) Preliminary acquisition activities, including a title search, appraisal, appraisal review and waiver valuation preparation, preliminary property map preparation and preliminary relocation planning activities, limited to searching for comparable properties, identifying replacement neighborhoods and identifying available public services, can be advanced under preliminary engineering, as defined in § 646.204 of this chapter, prior to completion of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321, et seq.) review, while other work involving contact with affected property owners for purposes of negotiation and relocation assistance must normally be deferred until after NEPA approval, except as provided in § 710.501, early acquisition; and in § 710.503 for protective buying and hardship acquisition; and
  - (4) Costs have been incurred in conformance with State and Federal requirements.
- (b) **Direct eligible costs.** Federal funds may only participate in direct costs that are identified specifically as an authorized acquisition activity such as the costs of acquiring the real property incorporated into the final project and the associated direct costs of acquisition, except in the case of a State that has an approved indirect cost allocation plan as stated in § 710.203(d) or specifically provided by statute. Participation is provided for:
- (1) **Real property acquisition.** Usual costs and disbursements associated with real property acquisition as required under the laws of the State, including the following:
    - (i) The cost of contracting for private acquisition services or the cost associated with the use of local public agencies;

- (ii) Ordinary and reasonable costs of acquisition activities, such as, appraisal, waiver valuation development, appraisal review, cost estimates, relocation planning, ROW plan preparation, title work, and similar necessary ROW related work;
  - (iii) The compensation paid for the real property interest and costs normally associated with completing the purchase, such as document fees and document stamps. The costs of acquiring options and other contractual rights to acquire an interest in land, rights to control use or development, leases, ROWs, and any other similar action to acquire or preserve rights-of-way for a transportation facility are eligible costs when FHWA determines such costs are actual, reasonable and necessary costs. Costs under this paragraph do not include salary and related expenses for an acquiring agency's employees (see payroll-related expenses in paragraph (b)(5) of this section);
  - (iv) The cost of administrative settlements in accordance with 49 CFR 24.102(i), legal settlements, court awards, and costs incidental to the condemnation process. This includes reasonable acquiring agency attorney's fees, but excludes attorney's fees for other parties except where required by State law (including an order of a court of competent jurisdiction) or approved by FHWA;
  - (v) The cost of minimum payments and waiver valuation amounts included in the approved ROW manual or approved RAMP; and
  - (vi) Ordinary and reasonable costs associated with closing, and costs of finalizing the acquisition.
- (2) **Relocation assistance and payments.** Usual costs and disbursements associated with the following:
- (i) Relocation assistance and payments required under 49 CFR part 24; and
  - (ii) Relocation assistance and payments provided under the laws of the State that may exceed the requirements of 49 CFR part 24, except for relocation assistance and payments provided to aliens not lawfully present in the United States.
- (3) **Damages.** The cost of severance and/or consequential damages to remaining real property resulting from a partial acquisition, actual or constructive, of real property for a project based on elements compensable under State law.
- (4) **Property management.** The net cost of managing real property prior to and during construction to provide for maintenance, protection, and the clearance and disposal of improvements until final project acceptance.
- (5) **Payroll-related expenses.** Salary and related expenses (compensation for personal services) of employees of an acquiring agency for work on a project funded by a title 23 grant are eligible costs in accordance with 2 CFR part 225 (formerly OMB Circular A-87), as are salary and related expenses of a grantee's employees for work with an acquiring agency or a contractor to ensure compliance with Federal requirements on a title 23 project if the work is dedicated to a specific project and documented in accordance with 2 CFR part 225.
- (6) **Property not incorporated into a project funded under title 23, United States Code.** The cost of property not incorporated into a project may be eligible for reimbursement in the following circumstances:

- (i) **General.** Costs for construction material sites, property acquisitions to a logical boundary, eligible Transportation Alternatives (TA) projects, sites for disposal of hazardous materials, environmental mitigation, environmental banking activities, or last resort housing; and
  - (ii) **Easements and alternate access not incorporated into the ROW.** The cost of acquiring easements and alternate access points necessary for highway construction and maintenance outside the approved ROW limits for permanent or temporary use.
- (7) **Uneconomic remnants.** The cost of uneconomic remnants purchased in connection with the acquisition of a partial taking for the project as required by the Uniform Act.
- (8) **Access rights.** Payment for full or partial control of access on an existing road or highway (*i.e.*, one not on a new location), based on elements compensable under applicable State law. Participation does not depend on another real property interest being acquired or on further construction of the highway facility.
- (9) **Utility and railroad property.**
  - (i) The cost to replace operating real property owned by a displaced utility or railroad and conveyed to an acquiring agency for a project, as provided in 23 CFR part 140, subpart I, Reimbursement for Railroad Work, and 23 CFR part 645, subpart A, Utility Relocations, Adjustments and Reimbursement, and 23 CFR part 646, subpart B, Railroad-Highway Projects; and
  - (ii) Participation in the cost of acquiring non-operating utility or railroad real property shall be in the same manner as that used in the acquisition of other privately owned property.
- (c) **Withholding payment.** The FHWA may withhold payment under the conditions described in 23 CFR 1.36 for failure to comply with Federal law or regulation, State law, or under circumstances of waste, fraud, and abuse.
- (d) **Indirect costs.** Indirect costs may be claimed under the provisions of 2 CFR part 225 (formerly OMB Circular A-87). Indirect costs may be included on billings after the indirect cost allocation plan has been prepared in accordance with 2 CFR part 225 and approved by FHWA, other cognizant Federal agency, or, in the case of an SDOT subgrantee without a rate approved by a cognizant Federal agency, by the SDOT. Indirect costs for an SDOT may include costs of providing program-level guidance, consultation, and oversight to other acquiring agencies and contractors where ROW activities on title 23-funded projects are performed by non-SDOT personnel.

### **Section 24.11 Adjustments of Payments**

The FHWA proposes to add a new section to the regulation to implement the new provision in MAP-21 at Section 1521(d)(2) which provides that if the head of the Lead Agency determines that the cost of living, inflation, or other factors indicate the relocation assistance benefits should be adjusted to meet the policy objectives of the Uniform Act, that the head of the Lead Agency may adjust: The amounts of relocation benefits for reestablishment expenses-nonresidential moves; fixed payment for moving expenses-nonresidential moves; replacement housing payment for 90-day homeowner-occupants; and replacement housing payment for 90-day tenants and certain others.

Prior to MAP-21, FHWA led research projects to examine whether inflation had an effect on relocation benefit levels. The research concluded that since publication of the final rule in 1989, the benefit levels were not able to meet the policy objectives of the Act due to inflation.

The FHWA's research focused primarily on the use of indexes as a tool to evaluate inflation's effects on Uniform Act benefits. In considering the most appropriate indexes, several Consumer Price Indexes appeared to provide a suite of goods and services that are related to housing and other costs associated with displacement.

The FHWA is proposing to evaluate inflation's effect on the benefits for reestablishment for nonresidential moves, fixed payment for non-residential moving expenses, replacement housing payments for 90-day owners, and rental assistance payments for 90-day tenants and certain others by using the Consumer Price Index for All Urban Consumers (CPI-U) Seasonally Adjusted.<sup>[2]</sup> Guidelines FHWA used in choosing this index:

1. The CPI-U is a measure of the average change in consumer prices over time for a fixed market basket of goods and services, including food, clothing, shelter, fuels, transportation, and charges for medical and dental services and drugs. The all urban consumers group represents about 87 percent of the total U.S. population. It is based on the expenditures of almost all residents of urban or metropolitan areas, including professionals, the self-employed, the poor, the unemployed and retired persons as well as urban wage earners and clerical workers. Bureau of Labor Statistics (BLS) publishes a CPI-U report monthly and releases an Annual Report at the end of each fiscal year.
2. It is available on a monthly basis, free of charge and can be expected to be tabulated regularly into the future. The CPI-U is widely used by other Federal Agencies including FEMA and HUD.
3. The CPI-U is used by other Federal Agencies for inflation adjustment indexing. The CPI-U is produced by the BLS and is subject to verification and oversight.

Additional information on consumer price indexes can be found on the Bureau of Labor Statistics website.<sup>[3]</sup> The FHWA is proposing that this determination of whether an increase in benefit amounts is necessary would be made no more frequently than every 5 years. If the FHWA determines that the cost of living, inflation, or other factors indicate the relocation assistance benefits should be adjusted to meet the policy objectives of the Uniform Act, FHWA

will issue a **Federal Register** notice of that determination and the specific adjustments of the relocation assistance benefits that are being made. The FHWA believes Federal and State partners will benefit from several years of stable and predictable regulatory benefit amounts.

The FHWA proposes a new item in appendix A, *Section 24.11*, which provides a sample calculation showing how FHWA will determine whether future adjustments to these benefit amounts should be proposed. In addition to a temporal limit on adjustments, FHWA attempted to identify an inflationary impact threshold or other regulatory condition indicating when an adjustment should be proposed. The FHWA recognizes that prior to MAP-21, relocation benefit amounts had not been adjusted for several decades. The FHWA welcomes comments on use of the CPI-U Seasonally Adjusted Index, and suggestions on the inflationary impact threshold that would warrant adjustments to the maximum benefit amounts.

- I. Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before the agency.
- J. Physical changes to the real property at the replacement location of a business or farm operation except as provided as a reestablishment expense.
- K. Costs for storage of personal property on real property already owned or leased by the displaced person.
- L. Refundable security and utility deposits at the replacement location.

### 12-8.2.3 Reestablishment Expenses

49 CFR 24.304  
RCW 8.26.035(1)(d)  
WAC 466-100-305

In addition to actual move costs, a small business, farm, or nonprofit organization may be eligible to receive a payment, not to exceed \$50,000, for expenses incurred in reestablishing their operations at a replacement location.

Claims for reestablishment expenses must be considered by WSDOT to be "actual, reasonable, and necessary." In this context, reasonable means the costs are typical in the geographic area in which the displacement occurred for the type of goods or services being purchased. Necessary means that such goods or services are needed to carry out the reestablishment of the business in conformance with the requirements of the Uniform Act. The test for reestablishment expenses at times may deal with comparing or matching amenities or characteristics of the replacement site against the displacement site. Also, the test is one of necessity, i.e., is the expense necessary to reestablish the displaced business. This may be the main criteria when a business owner changes business use at the replacement site.

General guidelines for the region Relocation Specialist to follow:

- Market test – determine the availability of suitable replacement sites that are functional and similar to the subject site.
- Is the claim submitted typical of the area or nature of the business operation?
- Is it really needed in order to carry out the move of the business?
- Is the business reestablishing at a level greater than what they currently operate?
- What is the size of the building where they currently conduct business?
- When dealing with redecoration expenses, the region Relocation Specialist will need to determine if the items in question are serviceable or if it can be fixed

EXHIBIT 5



**Date Adopted:** May 20, 2019  
**Last Updated:** December 19, 2018

The displacee may elect to claim a reimbursement using one or a combination of any of the above described methods.

The following non-residential moving related expenses are also reimbursable if the Agency determines that they are actual, reasonable and necessary.

Connections to available nearby utilities from the ROW to improvements at the replacement site.

Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displacee's business operation including, but not limited to, soil testing, feasibility, and marketing studies, excluding any fees or commissions directly related to the purchase or lease of such site.

Impact fees or one-time assessments for anticipated heavy utility usage, as determined to be necessary by the Agency.

Additionally, when the displacee settles on a replacement site, a subsequent scope of work should be developed that includes any anticipated treatments necessary to help reestablish the business at the replacement site. The costs of these treatments, commonly termed reestablishment expenses, are eligible for reimbursement in accordance with 24.304. Reimbursement of eligible reestablishment related expenses is limited by NH RSA 124: A: 3 (d),

to a maximum of one hundred thousand (\$100,000) dollars. Eligible reestablishment expenses include but are not limited to:

Repairs or improvements to the replacement real property as required by Federal, State or local code.

Modifications to the replacement property to accommodate the business or make the replacement structures suitable for conducting business

Construction and installation costs of exterior signing to advertise the business

Redecoration or replacement of soiled or worn surfaces at the replacements site such as paint, paneling or carpeting

Advertisement of the replacement location

Estimated increased costs of operation during the first two years at the replacement site for items such as:

Lease or rental charges;

Personal or real property taxes;

Insurance premiums;

Utility charges, excluding impact fees.

Other items that the Agency considers to be essential to the reestablishment of the business

24.304(b) identifies a non-exclusive list of expenses that are not considered to be reasonable, necessary or otherwise eligible for reestablishment reimbursement. They are:

Purchase of capital assets such as furniture, machinery, etc.

Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation

Interest on money borrowed to make the move or purchase the replacement property

Payments to a part-time business in the home which does not contribute materially (defined at 24.2(a) (7)) to the household income.

There is also a mechanism for a displaced non-residential person to be reimbursed for anticipated moving and reestablishment costs by requesting a fixed payment, in lieu of the other costs is

## EXHIBIT 6

### ADDENDUM

This Addendum contains copies of public comments received on this Relocation Plan and LACMTA's responses to those comments. Public comments on the Relocation Plan were solicited for 30 days from October 14, 2023 through November 15, 2023. Notice of the Plan's availability for review was distributed to the public in a variety of ways. Notice that hard copies of the Relocation Plan were available at 3 local libraries for public comment and that the plan was also posted on the Project's website was mailed to all impacted property owners and displacees. Notices of the plan's availability at the libraries and on the project website appeared in both English and Spanish in the El Sol newspaper's hard copy and electronic editions. Two separate email blasts were sent to prominent community stakeholders to solicit comment. In addition, notices of the plan's availability for comment was announced at two community meetings on October 25 and November 2, 2023. The plan's availability was also announced on the social media site "NextDoor". As a result of this outreach, two comments were received by LACMTA. Responses to both comments were prepared by LACMTA.

The two comments and their corresponding two responses appear on the following pages.

**Tuesday, November 14, 2023**

As an environmental justice organization in the Northeast San Fernando Valley, Pacoima Beautiful stands as a beacon of commitment to community improvement. Our dedicated team comprises leaders, planners, organizers, health promoters, and advocates striving for a healthier and safer San Fernando Valley (SFV) environment. Through collective action, we envision a community where children, families, and neighbors thrive as influential environmental justice leaders and stewards of our environment. As an integral part of the SFV community, we would like to raise concerns to Los Angeles County Metropolitan Transportation Authority (LACMTA) regarding the East San Fernando Light Rail (ESFV LR) Relocation Plan:

**1. Transparent Guidelines for Resident Qualification:**

Fully transparent and accountable guidelines for LACMTA Resident Qualification are essential for SFV residents. While collaboration with business owners is mentioned, specific criteria for extended lead time in complex cases require definition, addressing the community's consistent disadvantage. Unlike businesses, residents are restricted to a fixed payment option, which must justify potential patronage loss before relocation. Clarity on acceptable reasons is crucial; for example, businesses supplying local construction goods face unique challenges. Including such standards in guidelines would aid understanding and streamline the application process. LACMTA ensures benefit disbursement upon claim submission, yet concerns arise due to the limited number of relocation agents. The SFV community has repeatedly faced displacement challenges, underscoring the need for efficient submission processing strategies. Displaced individuals' access to legal support services is vital for understanding rights and fostering a fair and transparent relocation process.

**2. Community Involvement in Surveys and Environmental Considerations:**

As a community-focused organization in SFV, our priority is to elevate project tangible benefits and create a sense of balance with changes that will occur within the next decade as the project is built. We urge LACMTA to continue to do community surveys, and address both the real concerns that residents and local business owners are bringing up, and also address and share the tangible long-term benefits this project will bring. We urge assurance that all survey data collected is shared and all actions from the survey findings align with community demographics and interests in mind. Being environmental justice advocates, we also worry about air quality declines in non-residential areas post-relocation. We encourage LACMTA to set relocation thresholds to maintain air quality standards. If not, we propose a collaborative effort with environmental organizations for effective mitigation in Van Nuys City, where most displacement will occur.

**3. Transparent Communication in the Relocation Process:**

The relocation process involves a series of steps, and ensuring effective communication with all parties involved is paramount. A call for a transparent visual timeline (suggesting an online dashboard and resource page that is translated in multiple languages and also mailed to impacted tenants/owners) outlining when a tenant or property owner would receive a Notice of Intent to Acquire, a Notice of Eligibility, and a Notice of Vacate seeks to provide clarity and

understanding during this critical period. This visual aid would serve as a guide, reducing uncertainty and fostering a more informed community.

#### **4. Addressing Business Owner Needs and Minimizing Miscommunications:**

To boost communication transparency, creating a documented record of in-person discussions is vital, minimizing miscommunications. Encouraging consultants to send follow-up emails summarizing key meeting points enhances clarity and accountability, allowing both parties to confirm details. Ensuring translation services during the entire duration of the claim will ensure a diverse population served and reflect a commitment to inclusivity. This consideration prevents language barriers from compromising the accuracy of claims. Addressing these aspects proactively positions LACMTA to reduce miscommunications, elevate transparency, and underscore a commitment to supporting all business owners, irrespective of language or communication preferences.

#### **5. Tackling Racial Bias in Appraisals and Real Estate Processes:**

Addressing the pervasive issue of racial bias in property appraisals and real estate processes is crucial, with significant implications for marginalized communities. LACMTA must acknowledge the challenge and proactively outline concrete strategies to minimize racial bias during appraisals and real estate transactions. Numerous studies have highlighted the consistent devaluation of homes owned by people of color, impacting the community's ability to build wealth. The community seeks clarity on LACMTA's specific measures and accountability strategies, ensuring fair market value and minimizing racial bias at every step of the appraisal and real estate process.

In closing, Pacoima Beautiful emphasizes the importance of transparent guidelines for LACMTA resource qualification, ensuring fairness and equity for SFV residents. We call for community involvement in surveys and environmental considerations, emphasizing the need for tangible benefits. Transparent communication in the relocation process and proactive measures to address business owner needs and minimize miscommunications are crucial for fostering understanding and trust. Tackling racial bias in appraisals and real estate processes is a pressing concern, and we urge LACMTA to outline specific strategies to ensure fair market value and equity for all residents. As proud environmental justice advocates, we look forward to collaborative efforts that prioritize the well-being of our community and uphold the principles of transparency, inclusivity, and fairness.

November 15, 2023

Darryl Root, Real Estate  
Los Angeles County Metropolitan Transit Authority (Metro)  
*sent via e-mail*

RE: East San Fernando Valley (ESFV) Light Rail Project Draft Relocation Assistance Plan

The ESFV project is one of the most significant transportation investments the Valley has seen in a generation. Council District 6 (CD6) is expressly interested in seeing that the project provides economic benefits to existing businesses and residents within the Van Nuys Corridor, and conducts a just and transparent process for those in need of relocation. CD6 wants to see Metro and its contractor, Monument, work closely with affected owners and tenants as the project ramps up. CD6 looks forward to Metro being an active steward of its resources to address the negative impacts of ESFV on the affected parcels.

**Notes for Consideration**

- Funding source and schedule for relocation. The plan notes that Metro will not proceed with displacement until it has secured funds for disbursements. CD6 would like to know what sources of funding Metro will utilize and how they will align funding availability with the displacement/relocation in the timeframe of a complex, multi-year project.
- Availability of the Relocation Counselors and their temporary office: Each relocation counselor should be accessible as possible to displacees, as well as be fluent in additional languages or have access to multilingual support for displacees' preferred language. The Relocation Counselors should also have a regular monthly meeting with CD6 Planning and Field staff to review and address issues with the displacees. The temporary site office should have these counselors available through the life of the project, beyond the required timeframe of the claims process.
- Relocation Payments should be made as efficient and accessible as possible. For cases of hardship, CD6 wants more information on how Metro can authorize advance payments, and whether those can be determined by more than just income. CD6 would also like information on how Metro will consider citizenship status regarding eligibility for payments, as well as flexibility in the process for a displaced person to note if they want to choose the rental vs purchase option for a dwelling unit. Metro should also be able to accommodate and make payments to displacees who may be "unbanked" and eligible for programs such as CalAccount.



# Metro

November 16, 2023

Pacoima Beautiful  
12510 Van Nuys Blvd  
Suite 302  
Pacoima, California 91331

Subject: Comments on Draft Relocation Plan for the East San Fernando Valley Light Rail Transit Project

Dear Pacoima Beautiful:

Thank you for your recent comments on the Draft Relocation Plan for the East San Fernando Valley Light Rail Transit Project (ESFV Project). We appreciate your thoughts and have responded to them below.

## 1. Transparent Guidelines for Resident Qualification

The Los Angeles County Metropolitan Transportation Authority (LACMTA) shares your emphasis on the need for effective and transparent communication to displaced residents and businesses. LACMTA and its chosen relocation consultant, Monument Right of Way Services (Monument), will provide all displacees with the necessary information to qualify for eligible relocation benefits consistent with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (URA) as amended. The information will be provided in a clear, transparent manner and displacees will be given opportunities to ask questions and receive advisory services throughout the relocation process.

To clarify, all residential displacees, whether tenant or owners, will be eligible to qualify for moving benefits for their personal property. Residential tenants can qualify for a rental supplement to lease another dwelling or they can use the rental supplement for a downpayment on the purchase of a replacement dwelling, if they choose. Residential owner-occupant displacees can qualify for a purchase price differential, closing costs on the purchase of a replacement dwelling, and a mortgage differential payment.

To further clarify, business displacees have two options. The first option is that they can qualify for moving benefits, re-establishment benefits and related non-residential benefits. The second option is that businesses can elect a fixed moving payment. One requirement to receive this fixed payment is that the business must have a "substantial loss of its existing patronage" as a result of the relocation, as per 49 CFR 24.305. However, the business is presumed to meet this requirement unless LACMTA determines that such a

loss of patronage would not occur. Such a determination would be extremely unlikely due to the types of the businesses being displaced by the ESFV Project.

As stated, LACMTA has augmented its relocation staff through the use of Monument and will ensure all displacees will have proper access to relocation resources for all relocation tasks, including claim submission. Monument is very well qualified to provide relocation services as it has decades of staff experience in helping business and residential displacees successfully relocate in the Los Angeles area.

## **2. Community Involvement in Surveys and Environmental Considerations:**

LACMTA shares your emphasis on addressing resident concerns throughout the relocation process. LACMTA will leverage the expertise of our relocation agents and Community Relations staff to be sensitive to concerns raised by residents and respond accordingly. We also agree that the benefits of the ESFV Project need to be shared and explained to the community and will continue to do so. In addition, all displaced businesses will be required to observe air quality standards at their replacement sites and obtain all applicable permits under applicable regulations.

## **3. Transparent Communication in the Relocation Process:**

LACMTA agrees that a transparent relocation process is important to all displacees. This transparency will include individualized advisory services tailored to the needs of each displacee. These advisory services will include developing an individualized move plan for each displacee. This moving plan will include discussing project milestones and schedule and the corresponding sequencing of necessary notices (Notice of Intent to Acquire, Notices of Eligibility, Notices to Vacate, ect.). Each business will have a relocation schedule tailored to its needs and the needs of the ESFV Project. Under no circumstances will a business be required to relocate with less than 90 days notice and we have allowed for at least 9 months of relocation support before those 90 day notices are sent.

## **4. Addressing Business Owner Needs and Minimizing Miscommunications:**

LACMTA agrees that clear communications with displacees is essential. Relocation agents are required to keep a daily written diary of all communications and interactions with displacees. They are also required to timely follow up with all displacees throughout the relocation process. Part of that follow-up would include email summaries of points discussed and verbal communications as necessary. In addition, translation services, when requested, will be provided to the displacees for verbal discussions and written documents.

## **5. Tackling Racial Bias in Appraisals and Real Estate Processes:**

Pacoima Beautiful Draft Relocation Plan Comment Response  
East San Fernando Valley Light Rail Transit Project  
November 16, 2023  
Page 3

LACMTA will adhere to the guidelines detailed in Title VI of the Civil Rights Act of 1964. Every displacee receives a brochure at the beginning of the relocation process that details LACMTA's commitment to follow Title VI. This brochure clearly states that all activities related to the acquisition of real property will be provided without regard to race, color or national origin in compliance with Title VI. It also provides information to the displacee on how to contact LACMTA if they believe they have suffered discrimination as per Title VI and how to file a complaint. The brochure further states that discriminatory conduct by its employees, contractors, or consultants will not be tolerated. LACMTA will address any complaints about racial bias in compliance with Title VI and its brochure. It should also be noted that California law requires the highest price that a willing buyer and willing seller would have otherwise reached.

LACMTA appreciates your comments on its draft relocation plan and shares your commitment to transparency, inclusivity and fairness. We look forward to working with you on this very important transit project.

Sincerely,



Holly Rockwell  
Senior Executive Officer  
Countywide Planning and Development



# Metro

November 16, 2023

Lamont B. Cobb  
City Hall, Room 470  
200 North Spring Street  
Los Angeles, CA 90012

Subject: Comments on Draft Relocation Plan for the East San Fernando Valley Light Rail Transit Project

Dear Mr. Cobb:

Thank you for your recent comments on the Draft Relocation Plan for the East San Fernando Valley Light Rail Transit Project (ESFV Project). We appreciate your thoughts and would like to respond to them as discussed below.

The Los Angeles County Metropolitan Transportation Authority (LACMTA) will use a variety of state and federal funding sources for its relocation activities. LACMTA prepares annual budgets for the ESFV Project that take into account the funding needed to accomplish real estate activities on an annual basis to align with project objectives. This process has been followed on the ESFV Project and will continue to be followed during the duration of the project to ensure availability of funding for acquisition and relocation purposes.

Relocation agents, whether they be LACMTA staff or the chosen consultants from Monument Right of Way Services (Monument), will be engaged with and available to displacees for the duration of the project to ensure that appropriate relocation services are rendered. Various members of both Monument and LACMTA staffs are English/Spanish bilingual. However, they will also have access to multilingual translation services if needed to assist displacees. Monument is very well qualified to provide relocation services as it has decades of staff experience in helping business and residential displacees successfully relocate in the Los Angeles area.

We welcome a monthly meeting between relocation agents and CD6 planning and field staff to provide updates and progress reports. As more relocation activities begin occurring, LACMTA will continue to assess the need for such a temporary office and coordinate with other Metro programs including Business Interruption Fund, Eat/Shop/Play and Community Leadership Council.

LACMTA agrees that relocation benefit payments should be as efficient and accessible as possible. Relocation agents will advise displacees on how to file claims for benefits and process those claims efficiently. In regards to advance payments, LACMTA follows

the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (URA) as amended and its implementing regulations. Those regulations state in 49 CFR 24.207 that advance payments should be made to a displacee to avoid or reduce a hardship and that “the displacing Agency shall issue the payment, subject to such safeguards as are appropriate to ensure that the objective of the payment is accomplished.” A displacee’s income is not a factor in issuing advance payments.

Concerning the citizenship of displacees, the URA requires displacees to be lawfully present in the U.S. in order to receive benefits. Displacees are asked to self-certify their lawful presence. The ESFV Project is receiving federal funding and must abide by URA guidelines.

LACMTA will assist any residential displacee in determining whether they would rather rent or purchase a replacement location and discuss how available relocation benefits affect that decision. LACMTA will give advisory services and describe the requirements and flexibilities within the URA in order to accomplish the displacee’s housing objectives. LACMTA and its relocation agents will also be sensitive to any “unbanked” displacees, however almost all displacees are businesses and likely have active bank accounts. If “unbanked” displacees are discovered, LACMTA will explore alternative options for payment including CalAccount.

LACMTA appreciates your comments on its relocation plan and looks forward to keeping you updated on this very important transit project.

Sincerely,



Holly Rockwell  
Senior Executive Officer  
Countywide Planning and Development