

RESOLUTION NO. 12 HAD NOT BEEN  
APPROVED BY THE BOARD

METROPOLITAN SERVICE DISTRICT

R E L O C A T I O N

P O L I C Y

RESOLUTION NO. 12

OCTOBER 1974



R E L O C A T I O N P O L I C Y

METROPOLITAN SERVICE DISTRICT

On January 2, 1971, the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 was signed into law. Because of the increased benefits and the wide scope of this new law, it was necessary for the State Legislature to pass House Bill 1933 so that the State could comply with the new requirements of Federal relocation legislation.

The Metropolitan Service District policy requires that no family or individual will be required to vacate any dwelling until such displacee has found or been offered adequate replacement housing.

All replacement housing offered will be fair housing open to all persons regardless of race, color, religion, sex, or national origin. Fair housing will be available to all affected persons regardless of race, color, religion, sex, or national origin.

The Federal Environmental Protection Agency sets forth the same requirements for Federally-assisted projects.

Relocation legislation, because of its wide open scope, is somewhat complicated and difficult to read and interpret. For the benefit of those who are affected by the Districts property acquisition, this leaflet summarizes the principal provisions of relocation services and benefits to which relocatees are entitled. The right-of-way agent assigned to purchase a property will have detailed information for displaced persons.

R E L O C A T I O N S E R V I C E S

For the service and convenience of those affected by solid waste facilities, the Service District maintains its office in the following location.

6400 S.W. Canyon Court  
Portland, Oregon 97221  
Telephone - 297-3726

Displaced persons should personally visit or telephone the office when help in relocation is needed. The office can make available current lists of replacement dwellings, businesses, and farms for displaced persons, as well as current data on required deposits for utilities, closing costs, typical down payments, interest rates, and FHA and VA requirements and information. An experienced right-of-way agent is available to aid displaced persons to the fullest extent.

The Metropolitan Service District has no interest in the replacement dwelling and will not act as a broker in any transaction. The actual purchase or rental of a replacement dwelling is a transaction between the displaced person and the owner or broker of the property. Right-of-way agents do not expect and will not accept any fee for any service rendered.

#### INDIVIDUAL AND FAMILY MOVING EXPENSES

Any individual or family displaced by the District is entitled to receive a payment for reasonable expenses of moving personal property up to a distance of 50 miles.

In order to obtain a moving expense payment, a displaced person must file a written claim with the District on a form provided for that purpose. Only those individuals or families in occupancy at the start of negotiations for the property are eligible to receive the payment. In some cases, where it is to the benefit of the displaced person, written prearrangement with the Service District will allow the displaced person to present an unpaid commercial moving bill and the District will make payment directly to the mover. Residential moving costs may also be claimed according to a set schedule based upon the number of rooms of furniture to be moved.

#### RESIDENTIAL MOVING SCHEDULE

Unfurnished (Relocatee owns furniture)		
\$60 (1 rm.)	\$140 (3 rm.)	\$220 (5 rm.)
\$100 (2 rm.)	\$180 (4 rm.)	\$260 (6 rm.)
Seven or more rooms - \$300		

#### APPEALS

Any relocatee who is dissatisfied with any ruling on his eligibility or claim for any relocation benefit payment shall have the right of appeal. Appeal forms can be secured from the right-of-way agent who is handling the property acquisition. Appeals must be filed with the board within one year after the date of displacement.

Any person making such an appeal will be given full opportunity to be heard at an appeal hearing arranged to examine his complaint. A prompt decision will be provided giving reasons in support of the result reached.

#### RIGHT OF WAY AGENT

Relocatees will be given detailed information regarding their eligibility and possible benefits by the right-of-way agent assigned to acquire the property. Persons reading this leaflet are urged not to form advance opinions as to the amount of benefits to which they may be entitled. Many conditions must exist and certain criteria must be

met before eligibility can be established and payment benefits determined.

Only the right-of-way agent assigned to acquire a particular property has all the information necessary to permit a final determination of relocation benefits. His services are always available to the relocatees, and he should be contacted for authentic, accurate, and reliable information regarding all relocation matters.

Furnished

(Relocatee does not own furniture)

\$15 per room up to a maximum of \$300

MOBILE HOME MOVING SCHEDULE  
(Based upon total floor area)

Amount of Payment	Square Foot Area
\$100	Up to 200 sq. ft.
\$200	201 sq. ft. - 600 sq. ft.
\$300	More than 600 sq. ft.

In addition to the moving payment based on a room count or mobile home square-foot area, a dislocation allowance of \$200 will be paid.

BUSINESS, FARM, & NONPROFIT  
ORGANIZATION  
MOVING EXPENSES

Displaced businesses, farm operations, and nonprofit organizations are entitled to receive actual reasonable moving expenses for moving personal property a distance not to exceed 50 miles. The actual and reasonable cost of searching for a replacement location may be claimed up to \$500 for a farm or business and up to \$100 for advertising sign companies. Such payments must be supported by receipted bills or other evidence of expenses incurred.

As an alternate moving expense procedure, in the case of a self move, the business, farm operation, or nonprofit organization may be paid an amount to be negotiated between the District and the displaced business, farm operation, or nonprofit organization. This payment cannot exceed the lower of two firm bids secured by the Service District from competent moving companies.

Under certain conditions, businesses, farms and nonprofit organizations may receive payments for direct losses of tangible personal property resulting from the necessity to relocate.

In lieu of moving expense payments, a displaced or discontinued business or farm operation, except advertising sign owners, may, under certain conditions, elect to receive an amount equal to the average annual net earnings of the business or farm operation during the two tax years immediately preceding the year in which such business or farm operation is displaced. The payment cannot exceed \$10,000 and will not be less than \$2,500. Those who choose the "in lieu" payment are not eligible for any other relocation benefit payment.

#### STORAGE OF PERSONAL PROPERTY

Occasionally, unusual circumstances may make the storage of personal property mutually beneficial to the displaced owner and the District. The cost of such storage may qualify for a payment in addition to the actual moving expense payments. It should be clearly understood that those dislocatees accepting the schedule or in lieu moving expense payment are not eligible to receive the storage expense benefit. This additional benefit requires the written approval from the District and may not exceed six months.

#### REPLACEMENT HOUSING

A displaced owner-occupant of a dwelling actually owned and occupied by the owner for not less than 180 days immediately prior to the initiation of negotiation of such property may be eligible for additional payments, the combined total of which may not exceed \$15,000. This payment is the amount necessary to purchase replacement housing, to compensate the owner for increased interest costs he is required to pay for financing the replacement dwelling where a valid mortgage has been in effect 180 days or more prior to initiation of negotiations for the parcel, and to reimburse the owner for the actual closing costs incidental to the purchase of replacement housing. Necessary deposits for taxes and insurance are not considered as closing costs.

The replacement housing payment is the amount, if any, when added to the amount for which the District acquired his dwelling, equals the actual cost which the owner is required to pay for a decent, safe, and sanitary dwelling or the amount determined by the District as necessary to purchase a comparable dwelling, whichever is less.

In those cases where an owner-occupant chooses to rent instead of own a replacement dwelling, he may, under certain conditions, become eligible for a lesser payment which may not exceed \$4,000.

A displaced owner-occupant of a dwelling actually owned and occupied by the owner for more than 90 days but less than 180 days or a tenant-occupant of more than 90 days immediately prior to initiation of negotiation for such property may be eligible for additional payments, the combined total of which may not exceed \$4,000. This payment is

the amount necessary to make a down payment on the purchase of a replacement dwelling and to reimburse the relocatee for the actual closing costs incidental to the purchase of the replacement dwelling. Necessary deposits for the taxes and insurance are not considered as closing costs. In those cases where an owner-occupant of less than 180 days and more than 90 days or the renter-occupant of more than 90 days chooses to rent instead of purchasing a replacement dwelling, he may, under certain conditions, become eligible for a payment up to \$4,000 to enable him to rent a decent, safe, and sanitary replacement dwelling.

To be eligible for these benefits, the displaced occupant must occupy a decent, safe, and sanitary replacement dwelling within one year subsequent to the required date of displacement from the dwelling unit acquired by the Service District.

Claims for housing additives and rent supplements must be made in writing on a form supplied for this purpose and must be filed with the District no later than 18 months after the date of displacement or six months after final adjudication of a condemnation case.

Before payments for any replacement dwelling benefits can be made, the replacement dwelling must be inspected by the Districts personnel to ascertain that it meets the decent, safe, and sanitary standards established by the Federal Environmental Protection Agency.

#### POSSESSION

No person lawfully occupying real property shall be required to move from his home, farm, or business location without at least 90 days written notice of the Districts intent to acquire the property and a subsequent 30 day written notice of the intended vacation date.