

**APPENDIX C**  
**RELOCATION ASSISTANCE INFORMATION**

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## APPENDIX C

### RELOCATION ASSISTANCE INFORMATION

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## **APPENDIX C**

### **RELOCATION ASSISTANCE INFORMATION**

Pursuant to Section 103(a) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, and notwithstanding Sections 210 and 305 of this Act, the head of a federal agency may discharge any of his responsibilities under this Act by accepting a certification by a state agency that it will carry out such responsibility, if the head of the lead agency determines such responsibility will be carried out in accordance with state laws which will accomplish the purpose and effect of the Act.

The NTTA may assign relocation responsibilities to other parties, including the City of Dallas. In such an event, relocation procedures described in this appendix would still be applicable. If a Trinity Parkway Build Alternative is selected in the anticipated ROD, affected property owners will be notified by mail. Other than properties specifically available or required for early acquisition, it is estimated ROW acquisition and first written offers to purchase would occur within one year after issuance of the ROD.

The following explanation is general and informational in nature and is not intended to be a complete or detailed statement of federal and state relocation laws and regulations. Any questions concerning relocation should be addressed to NTTA.

#### **A. IMPORTANT RELOCATION ASSISTANCE INFORMATION**

Any persons to be displaced will be assigned a relocation advisor, who will work closely with each displaced person in order to see that all payments and benefits are fully utilized and that all regulations are observed, thereby avoiding the possibility of displaced persons jeopardizing or forfeiting any of their benefits or payments. At the time of the first written offer to purchase, owner-occupants are given a detailed explanation of the NTTA's relocation services. Tenant occupants of properties to be acquired are contacted soon after the first written offer to purchase and are also given a detailed explanation of the Relocation Program. To avoid loss of possible benefits, no individual, family, business, farm or non-profit organization should commit to purchase or rent a replacement property without first contacting a relocation advisor.

#### **B. RELOCATION ASSISTANCE ADVISORY SERVICES**

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, relocation advisory assistance will be provided to any person, business,

farm, or non-profit organization displaced as a result of the acquisition of real property for public use. NTTA will assist displaced persons in obtaining a comparable replacement dwelling by providing accurate, current, and continuing information on availability and prices of both houses for sale and rental units that are “decent, safe, and sanitary.” Non-residential displaced persons will receive information on comparable properties for lease or purchase (Refer to Section D for business, farm, and non-profit organization relocation services).

Residential displacement dwellings will be in equal or better neighborhoods at rents or prices within the financial ability of the individuals and families displaced and reasonably accessible to their places of employment. Before any displacement occurs, comparable replacement dwellings will be offered to displaced persons that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of the Civil Rights Act of 1964, as amended. This assistance will also include supplying information to displaced persons concerning federal- and state-assisted housing programs and any other known services being offered by public and private agencies in the area.

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without first being given at least 90-days written notice. Occupants eligible for relocation payment(s) will not be required to move unless at least one comparable “decent, safe, and sanitary” replacement residence, available on the market, is offered to them by the City of Dallas.

### **C. RESIDENTIAL RELOCATION PAYMENTS PROGRAM**

The Relocation Payment Program will help eligible residential occupants by paying certain costs and expenses. These costs are limited to actual costs necessary for or incidental to the purchase or rental of the replacement dwelling and actual reasonable moving expenses to a new location within 50 miles of the displacement property. Any moving costs in excess of 50 miles are the responsibility of the displaced person. The Residential Relocation Program is summarized as follows:

#### Moving Expenses

Any displaced person, who lawfully occupied the acquired property, regardless of the length of occupancy in the property acquired, will be eligible for reimbursement of moving expenses. Displaced persons will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 50 miles, or a fixed payment based on a fixed moving cost schedule.

### Replacement Housing Payments

In addition to moving and related expense payments, fully eligible homeowners may be entitled to payments for increased costs of replacement housing. Homeowners who have owned and occupied their property for 180 days or more prior to the date of the first written offer to purchase the property may qualify to receive a differential payment and may qualify to receive reimbursement for certain non-recurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest rate for the loan on the replacement dwelling is higher than the loan rate on the displacement dwelling, subject to certain limitations on reimbursement based upon the replacement property interest rate. The maximum combination of these three supplemental payments that the owner-occupant can receive is \$22,500. If the total entitlement (without moving payments) is in excess of \$22,500, the Last Resort Housing Program will be used (Refer to Last Resort Housing Program section below).

### Rental Supplement

Tenants who have occupied the property to be acquired for 90 days or more and owner-occupants of 90-179 days prior to the date of the first written offer to purchase may qualify to receive a rental differential payment. This payment is made when the NTTA determines the cost to rent a comparable “decent, safe, and sanitary” replacement dwelling will be more than the present rent of the replacement dwelling. As an alternative, the tenant may qualify for a down-payment benefit designed to assist in the purchase of a replacement property and the payment of certain costs incidental to the purchase, subject to certain limitations (refer to Down Payment section below). The maximum amount payable to any tenant of 90 days or more and any owner-occupant of 90-179 days, in addition to moving expenses, is \$5,250. If the total entitlement for rental supplement exceeds \$5,250, the Last Resort Housing Program will be used.

In addition to the occupancy requirements, in order to receive relocation benefits, the displaced person must buy or rent and occupy a “decent, safe, and sanitary” replacement dwelling within one year from the date the NTTA takes legal possession of the property, or from the date the displaced person vacates the displacement property, whichever occurs later.

### Down-Payment

The down-payment option has been designed to aid owner-occupants of 90-179 days and tenants with no less than 90 days of continuous occupancy before NTTA’s first written offer. The down payment and incidental expenses cannot exceed the maximum payment of \$5,250. The one-year eligibility period in which to purchase and occupy a “decent, safe, and sanitary” replacement dwelling will apply.

### Last Resort Housing

Federal regulations (49 CFR 24) contain the policy and procedure for implementing the Last Resort Housing Program of Federal-aid projects. Last Resort Housing benefits are, except for the amounts of payments and the methods in making them, the same as those benefits for standard residential relocation as explained above. Last Resort Housing has been designed primarily to cover situations where a displaced person cannot be relocated because of lack of available comparable replacement housing, or when the anticipated replacement housing payments exceed the \$5,250 and \$22,500 limits of the standard relocation procedure, because either the displaced person lacks the financial ability or other valid circumstances. In certain exceptional situations, Last Resort Housing may also be used for tenants of less than 90 days.

After the first written offer to acquire the property has been made, the NTTA will, within a reasonable length of time, personally contact the displaced person(s) to gather important information, including the following:

- Preferences in area of relocation;
- Number of people to be displaced and the distribution of adults and children according to age and sex;
- Location of school and employment;
- Specific arrangements needed to accommodate family member(s) special needs; and
- Financial ability to relocate into comparable replacement dwelling, which will adequately house all members of the family.

### **D. THE NON-RESIDENTIAL RELOCATION ASSISTANCE PROGRAM**

The Non-residential Relocation Assistance Program provides assistance to businesses, farms, and non-profit organizations in locating suitable replacement property and reimbursement for certain costs involved in relocation. The Relocation Advisory Assistance Program will provide current lists of properties offered for sale or rent, suitable for the specific relocation needs of a particular business. The types of payments available to eligible businesses, farms, and non-profit organizations are moving and searching expenses and, possibly, reestablishment expenses; or a fixed in lieu payment instead of any moving, searching, and reestablishment expenses. The payment types are summarized as follows:

- The moving of inventory, machinery, equipment, and similar business-related property dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting of personal property.

- Displaced business, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property, which is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.
- Actual expenses related to searching for a new business site, up to \$2,500 for reasonable expenses actually incurred.

#### Reestablishment Expenses

Actual reestablishment expenses related to the operation of the business at the new location, up to \$10,000 for reasonable expenses actually incurred.

#### Fixed in Lieu Payment

A fixed payment in lieu of moving and searching payments and reestablishment payment may be available to businesses, which meet certain eligibility requirements. This payment is an amount equal to the average annual net earnings for the last 2 taxable years prior to the relocation and may not be less than \$1,000 or more than \$20,000.

### **E. ADDITIONAL INFORMATION**

#### Relocation Payments Not Income

Reimbursement for moving costs and replacement housing payments are not considered income for the purpose of the Internal Revenue Code of 1954, or resources for the purpose of determining the extent of eligibility of a displaced person for assistance under the Social Security Act, local "Section 8" housing programs, or other federal assistance programs.

#### Right to Appeal

Any person, business, farm, or non-profit organization, which has been refused a relocation payment by the relocation advisor or believes the payment(s) offered are inadequate, may appeal for a special hearing of their complaint. No legal assistance is required. Information about the appeal procedure is available from the relocation advisor.

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**TABLE C-1. TRINITY PARKWAY DISPLACEMENTS – ALTERNATIVE 3C**

Address	Owner	Bldg./ Displacements	Type	2010 Census Tract / Block Group
5105 Colonial Ave, Dallas, TX 75215	Penny Cecil &	1	Residential	40 / 2
5117 Colonial Ave, Dallas, TX 75215	Kolobotos Angelos	1	Residential	40 / 2
5122 Colonial Ave, Dallas, TX 75215	Packer Detroit Michigan	1	Residential	40 / 2
3130 Commonwealth Dr, Dallas, TX 75247	Powell Elmer C	1	Commercial	100 / 2
200 Corinth St, Dallas, TX 75207	Ramirez Raul & Rosalinda	1	Commercial	204 / 1
3115 Halifax St, Dallas, TX 75247	Conlon Robyn T	1	Commercial	100 / 2
3131 Halifax St, Dallas, TX 75247	Metro Prime Mgmt Inc DbA	1	Commercial	100 / 2
3132 Iron Ridge St, Dallas, TX 75247	Science Discovery	1	Commercial	100 / 2
3040 Irving Blvd, Dallas, TX 75247	Bowen & Associates Llc	1	Commercial	100 / 2
3054 Irving Blvd, Dallas, TX 75247	Kkl Investment Partners	1	Commercial	100 / 2
3131 Irving Blvd, Dallas, TX 75247	Commonwealth Industrial Llc	2	Commercial	100 / 2
7009 John W Carpenter Fwy, Dallas, TX 75247	Vaughn Mickey Jo	1	Commercial	100 / 2
7017 John W Carpenter Fwy, Dallas, TX 75247	Mr Sign Inc	1	Commercial	100 / 2
7021 John W Carpenter Fwy, Dallas, TX 75247	Kay Rhonda Llc	1	Commercial	100 / 2
7035 John W Carpenter Fwy, Dallas, TX 75247	Ducon Inc	1	Commercial	100 / 2
7045 John W Carpenter Fwy, Dallas, TX 75247	Ducon Inc	1	Commercial	100 / 2
4115 Julius Schepps Fwy, Dallas, TX 75215	Duggan Industries Inc	1	Commercial	40 / 1
5031 Lakawana St, Dallas, TX 75247	Washington Wholesale	1	Commercial	100 / 2
1301 Mcdonald St, Dallas, TX 75215	Dallas City Of	1	Commercial	40 / 1
100 Parkhouse St, Dallas, TX 75207	Robbie Drive Ltd	1	Commercial	100 / 1
5305 S Central Expy, Dallas, TX 75215	Mm Whitetail Ppties Lp	1	Commercial	40 / 2
4305 S Lamar St, Dallas, TX 75215	Goldberg Robert L Et Al	1	Commercial	40 / 2
2101 S Riverfront Blvd, Dallas, TX 75207	Nguyen Randy Dac &	1	Commercial	204 / 1
2205 S Riverfront Blvd, Dallas, TX 75207	Bartholow Rental Company	1	Commercial	204 / 1
2205 S Riverfront Blvd, Dallas, TX 75207	Bartholow Rental Co	1	Commercial	204 / 1
2209 S Riverfront Blvd, Dallas, TX 75207	Atlas Iron & Metal	1	Commercial	204 / 1
1645 Starks Ave, Dallas, TX 75215	Johnson D C	1	Commercial	40 / 2
1111 W Mockingbird Ln, Dallas, TX 75247	Ricchi Plaza Dallas Llc	2	Commercial	100 / 2
200 Corinth St, Dallas, TX 75207	Ramirez Raul & Rosalinda	1	Commercial	204 / 1
<b>TOTAL DISPLACEMENTS</b>		<b>30</b>		

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