

The Relocation advisor will look for clues that indicate the number of displacees. Included are the number of cars parked on the property, the presence of children's toys or playground equipment, wheelchair accessibility, etc.

ALIENS NOT LAWFULLY PRESENT IN THE UNITED STATES

ELIGIBILITY

Each person seeking relocation payments or relocation advisory services shall, as a condition of eligibility, certify:

1. In the case of an individual, that he or she is either a citizen or national of the United States or an alien who is lawfully present in the United States.
2. In the case of a family, that each family member is either a citizen or national of the United States, or an alien who is lawfully present in the United States. The head of the household may certify on behalf of other family members.
3. In the case of an unincorporated business, farm or nonprofit organization, that each owner is either a citizen or national of the United States or an alien who is lawfully present in the United States. Certification may be made by the principal owner, manager or operating officer on behalf of other persons with an ownership interest.
4. In the case of an incorporated business, farm or nonprofit organization, that the corporation is authorized to conduct business within the United States.

CERTIFICATION

The certification that the displacee is a citizen or national of the United States or an alien who is lawfully present in the United States is accomplished on the first contact between the Relocation Advisor and the potential displacee via the Receipt for Brochure form. Refusal to sign the receipt should be noted by the advisor and brought to the attention of the Relocation Supervisor.

The advisor is not expected to do an exhaustive investigation as to whether the displacee is a legal resident but should have a comfort level concerning the meeting of this criteria.

Documentation can include, but is not limited to, a birth certificate, driver's license, social security card, green card, etc. Any review of these certifications must be conducted in a non-discriminatory manner. Our standard of review should be consistent for all persons.

If the Iowa Department of Transportation has reason to believe that a person's certification is invalid, and that, as a result, the person may be an alien not lawfully present in the United States,

verification should be obtained from the local Bureau of Citizenship and Immigration Service (BCIS) Office.

COMPUTING RELOCATION PAYMENTS

If any member(s) of a household or owner(s) of an unincorporated business, farm, or nonprofit organization is determined to be ineligible because of a failure to be legally present in the United States, no relocation payments will be made to that person.

Any payments for which a household, unincorporated business, farm or nonprofit organization would otherwise be eligible will be computed as follows:

- For a household, payment will be based on the number of eligible members.
- For the unincorporated business, farm or nonprofit organization, payment will be based on the ratio of ownership between eligible and ineligible owners.

Unless a person who is determined not to be a legal resident of the United States can demonstrate that the denial of relocation benefits will result in an “exceptional and extremely unusual hardship” to the person’s spouse, parent or child who is a citizen of the United States or is an alien lawfully admitted for permanent residence in the United States, no relocation payments or advisory services will be paid.

“Exceptional and extremely unusual hardship” means that the denial of relocation payments and advisory services will directly result in:

- A significant and demonstrable adverse impact on the health or safety of such spouse, parent or child;
- A significant and demonstrable adverse impact on the continued existence of the family unit of which such spouse, parent or child is a member; or
- Any other impact that the Iowa Department of Transportation determines will have a significant and demonstrable impact on such spouse, parent or child.

RELOCATION ASSISTANCE PLAN

FORMAT

All projects, with the exception of projects involving personal property or sign moves only, require a written plan. Historically this plan consisted of one document that included all parcels. Increasingly, parcels involving residential displacements are advanced before other parcels and it is necessary to prepare individual plans. Larger projects may include many plans but there should always be a plan for all parcels involving relocation assistance. The general format for the plan is located in the Appendix.