

displacee's financial means, the displacee is not eligible for a rental supplemental payment. (See Page 19)

The difference between a tenant occupant of 90 days or more and a tenant occupant of less than 90 days is illustrated as follows:

If the tenant of less than 90 days refuses to provide evidence of their total income or is a dependant, they are assumed to have met the financial means test and are not eligible for a rent supplemental payment. They will still be eligible for reimbursement of their moving costs as there are no length of occupancy requirements for moving costs.

As in the case of tenant occupants of 90 days or more, displacees in this category are eligible for down payment assistance. See page 50 for requirements.

Owner occupants of less than 90 days are not eligible for a supplemental housing payment to assist in purchasing replacement housing. Unless the market is volatile, it is assumed that a home owner in this category can purchase a replacement dwelling for the same price paid for the displacement. This situation is rarely encountered and the Relocation Supervisor will be consulted to determine the course of action.

MOBILE HOMES

GENERAL

A person displaced from a mobile home is entitled to the same benefits and payments as a person displaced from a conventional dwelling.

In Iowa, a "mobile home" is defined as any vehicle without motive power used, manufactured or constructed as to permit its use as a conveyance upon streets and highways. It is designed, constructed or reconstructed to permit it to be used for human habitation by one or more persons. It was not built to a mandatory building code, contains no state or federal seals and was built before June 15, 1976.

A "manufactured home" is defined as a factory built structure built under authority of 42 U.S.C. 5403, and is required by federal law to display a seal from the U.S. Department of Housing and Urban Development, and was constructed on or after June 15, 1976.

For our purposes, manufactured and mobile homes are considered one and the same and will be covered under this section.

Mobile homes do present unique situations in that they may or may not be considered as real or personal property and there may be a separation of ownership between the dwelling and the site.

These differences present two general problems. The first involves a decision whether to acquire or move the dwelling from which the displacement occurs. The second is a major increase in the complexity of determining the relocation assistance payments for which the displaced person is eligible.

THREE BASIC MOBILE HOME FACTORS

There are three basic considerations when dealing with mobile home moves which, once a determination is made, allow the relocation advisor to move forward to a successful relocation.

1. **Realty Versus Personal Property** - The first consideration when dealing with mobile home moves is to determine the status of the mobile home as real or personal property.

In Iowa, if a mobile home is located in a mobile home park, it must be titled and is subject to the mobile home square foot tax. If it is placed outside a mobile home park, the mobile home is assessed and taxed as real estate.

For relocation assistance purposes, a mobile home is considered to be personal property unless both the mobile home and the site are owned by the same person. In this case the mobile home will be appraised as part of the real estate.

2. **Mobile Home Versus Site** - Mobile homes, unlike their conventional counterparts, may be separated from their sites, from an ownership standpoint.

Since a mobile home displacement often has two distinct parts, the mobile home itself and the site, it is often necessary to compute two separate replacement housing payments. It is not unusual to have payments that reflect a different status (owner or tenant), since the displacee might own the mobile home but rent the site or vice versa.

There are four general eligibility categories in which all mobile home displacements occur.

1. Owner of the mobile home and owner of the site.
 - Owner-occupant of 180 days or more
 - Owner -occupant of at least 90 days but less than 180 days
 - Owner-occupant of less than 90 days
2. Owner of the mobile home and tenant on the site.
 - Occupants of 90 days or more
 - Occupants of less than 90 days
3. Tenant in the mobile home and owner of the site.

- Occupants of 180 days or more
 - Occupants of 90 days or more
 - Occupants of less than 90 days
4. Tenant of the mobile home and tenant on the site.
- Occupants of 90 days or more
 - Occupants of 90 days or less
3. **Owner Versus Tenant** - As with conventional dwellings, Replacement Housing Payments (RHP) for persons displaced from mobile homes differ based on their status as homeowner or tenant. For RHP purposes, the occupant's status as an owner or a tenant is determined by his or her ownership or tenancy of the mobile home itself, not the site on which it is located.

Thus, an occupant of a mobile home who owns the mobile home and its site and an occupant who owns the mobile home but not the site, are both homeowners for RHP purposes and are potentially eligible for a supplement payment of \$22,500, unless last resort housing provisions apply. Conversely, an occupant who owns the site but rents the mobile home is a tenant for rental supplement purposes and is eligible for a payment not to exceed \$5,250, unless last resort housing provisions apply.

Eligibility for RHPs is also affected by the length of time the displaced person has occupied the mobile home and displacement site prior to the initiation of negotiations. This parallels the requirements for occupants of conventional dwellings.

If the mobile home is not actually acquired, but the occupant is considered to be displaced, the "initiation of negotiations" is when negotiations began to acquire the land, or if the land is not acquired, the written notification to the occupant that he or she is to be displaced.

MOVING COSTS AND RELATED EXPENSES

Any displaced person who owns and/or occupies a mobile home located within the proposed acquisition area is entitled to reimbursement of moving costs and related expenses for moving the mobile home if it is considered personal property, and/or for moving the contents of the mobile home.

There are many possible variations in payment computations for mobile home owners and occupants. In order to clarify payment computations, some, though not all, of the mobile home situations which may occur are discussed below.