

If the displacee elects to purchase replacement housing, he or she is eligible to receive the calculated rental supplemental payment plus incidental expenses, except that no extraordinary loan origination fees or points will be allowed that would allow the person to obtain a mortgage at lower than typical interest rates. In other words, points that would in effect buy down interest rates will not be considered.

The full amount of down payment assistance must actually be applied to the purchase price and incidental expenses. A commitment to spend is not sufficient.

If a tenant residential displacee had a calculated rental supplemental payment of less than \$5,250 and opts to purchase replacement housing the amount of down payment assistance will be raised to \$5,250 plus incidental expenses.

OWNER OR TENANT OCCUPANTS OF LESS THAN 90 DAYS OR SUBSEQUENT OCCUPANTS

GENERAL

A person is considered to be in this category if the person has actually rented and occupied or owned and occupied the displacement dwelling for less than 90 days prior to, or after, the initiation of negotiations for its purchase by the Iowa Department of Transportation; and

Either rents or purchases and occupies a DSS replacement dwelling within one year after:

- For a tenant, the date he or she moves from the displacement dwelling; or
- For an owner, the later of:

The date final payment for the displacement dwelling is received, or in the case of a condemnation, the date full amount of the estimate of just compensation is deposited with the sheriff, or

The date the displacee is offered comparable replacement housing.

All Replacement Housing Payments to displacees in this category will be paid under Last Resort Housing provisions. (See Page 24)

RENTAL SUPPLEMENT

For tenant occupants, the procedures and requirements are the same as for tenants of more than 90 days, except that, if there is comparable, DSS replacement housing available within the

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.