

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.

## **PURPOSE**

By becoming familiar with the project and neighborhood area, the advisor will be more apt to recognize potential problems early. Problems may include the need for increased time to accomplish a successful move, potentially larger replacement housing payments, or adapting replacement housing to meet the special needs of the relocatee. Right of Way Management is notified of these situations for use in establishing acquisition priorities and schedules.

Historically, the process of providing relocation assistance and advisory services can begin early in the project development and extend to the highway construction phase and occasionally beyond. The following list of the average time periods required for relocation moves from 2001 to the present was based on the time between when the parcel was forwarded to the Acquisition Section to begin negotiations and when the relocatee actually moved from the acquired property.

Residential:	Owner-Occupied:	These moves took an average of 7 months. In urban areas, the average was 5 months and in rural areas it was 9 months. On build-new (all rural) the average was 10 months.
Residential:	Tenant-Occupied:	These moves took an average of 5.4 months. In urban areas, the average was 4.1 months and in rural areas, it was 6.5 months.
Non-Residential:	Businesses:	These moves took an average of 9 months.
	Farm Operations:	These moves took an average of 12 months.

## **RESEARCH**

As soon as the personal interviews are completed, a survey of potential replacement properties will be completed. The multiple listing service, realty companies, Internet web sites and newspaper advertisements should be researched. A survey of local builders, well-drillers, septic contractors and house movers may be necessary. Local financial resources should also be contacted to determine prevailing interest rates and special services available to the relocatee. Area services such as public transportation, schools, shopping facilities, etc. should be reviewed as well as local agencies who provide information on low-income, senior citizen or assisted living housing.

## **PREPARATION**

The plan will be promptly completed and submitted to the Relocation Supervisor. Additions or corrections will be necessary if more parcels are added or design changes are made. This plan will be included in the Relocation Assistance General File for the project.

This plan, when submitted to the Relocation Supervisor for review, will be forwarded to the Right of Way Director if it indicates that replacement properties are in short supply or other circumstances that indicate delays may occur. On major projects with a large number of relocations it is critical that there are a sufficient number of available properties so that relocatees are not put in competition with one another for the same replacement property. Timing is important in order to meet project deadlines.

## **PROJECT FILES**

The individual relocation advisor is responsible for maintaining a parcel file for each relocatee. When one parcel has both a residential and non-residential move, the advisor will maintain a parcel file for each. This file will contain all information specific to that parcel and will contain all documentation needed to support payment of relocation benefits. A Summary of Payments form will be in each file to assist in an up to date review of remaining eligibility. The advisor will complete the Parcel Check Sheet and submit the parcel for review within 45 days after completion of relocation assistance activities.

All information gathered on a project that is not parcel specific should be included in the Project General File.

This includes:

- Relocation Plan
- Public Hearing Information
- Sign Information
- ROW Design Submittal
- Housing Offers of Relocation Assistance
- General Correspondence
- Building & Moving Cost Data
- Financial Information

## **RELOCATION APPEAL PROCESS**

### **GENERAL**

The appeal process should be explained by the Relocation advisor to anyone who believes that the Iowa Department of Transportation has failed to properly determine the amount of, or eligibility for relocation benefits. This process is designed to be an uncomplicated procedure for the resolution of grievances relating to claim or eligibility review.

A request for review should be submitted in writing within 60 days after written notification of a relocation assistance determination has been sent or delivered to the relocatee. The request should outline the items or issues and amounts in dispute and provide documentation supporting the position. The request for review should be submitted to: