

Final Conceptual Stage Relocation Plan Report

**Malabar Road (SR 514) PD&E Study
From East of Babcock Street (SR 507) to US 1
Brevard County, Florida**

Financial Project ID: 430136-1-22-01

ETDM Project Number: 13026

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding (MOU) dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

April 2018

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MALABAR ROAD (SR 514) IMPROVEMENT PROJECT

CONCEPTUAL STAGE RELOCATION PLAN

Executive Summary

The Florida Department of Transportation (FDOT), District Five, conducted a Project Development and Environment (PD&E) Study to evaluate improvements to Malabar Road (SR 514) in Brevard County, Florida. The study limits begin east of Babcock Street (SR 507) [Milepost (MP) 3.102] and extend to US 1 (MP 6.742), a distance of 3.64 miles. The purpose of the study was to provide documented environmental and engineering analyses to determine the type, location, and conceptual design of roadway improvements to Malabar Road (SR 514).

This Conceptual Stage Relocation Plan focused on the right-of-way (ROW) impacts associated with the proposed project, and was prepared to address the social and economic ramifications of relocation impacts. The demographic information studied and analyzed include breakouts for gender, minority and total populations, projections for these individual components, housing and housing costs, owner and rental occupations, household size and income, as well as median household income. Comparisons were made among the immediate vicinities impacted, the counties and the state data to ascertain and address any disproportionate community impacts.

The decision to relocate and/or make improvements to residences or businesses was based on the transportation need and resultant impacts for Malabar Road (SR 514). Based on these studies, the following potential relocations are noted¹.

Residential Displacements:	8
Business Relocations:	2
Non-profit Relocation:	1
Sign Impacts:	17

Relocation assistance is available to all owners and/or tenants in affected premises, as outlined in the following report. The total of the potential relocations is eleven (11); the impacts are related to ROW acquisition. The total ROW cost estimated for the Recommended Alternative is approximately \$27,308,500, which includes costs for ROW acquisition, administration and support, improvements, severance and business damages, expert and attorney fees, and relocation.

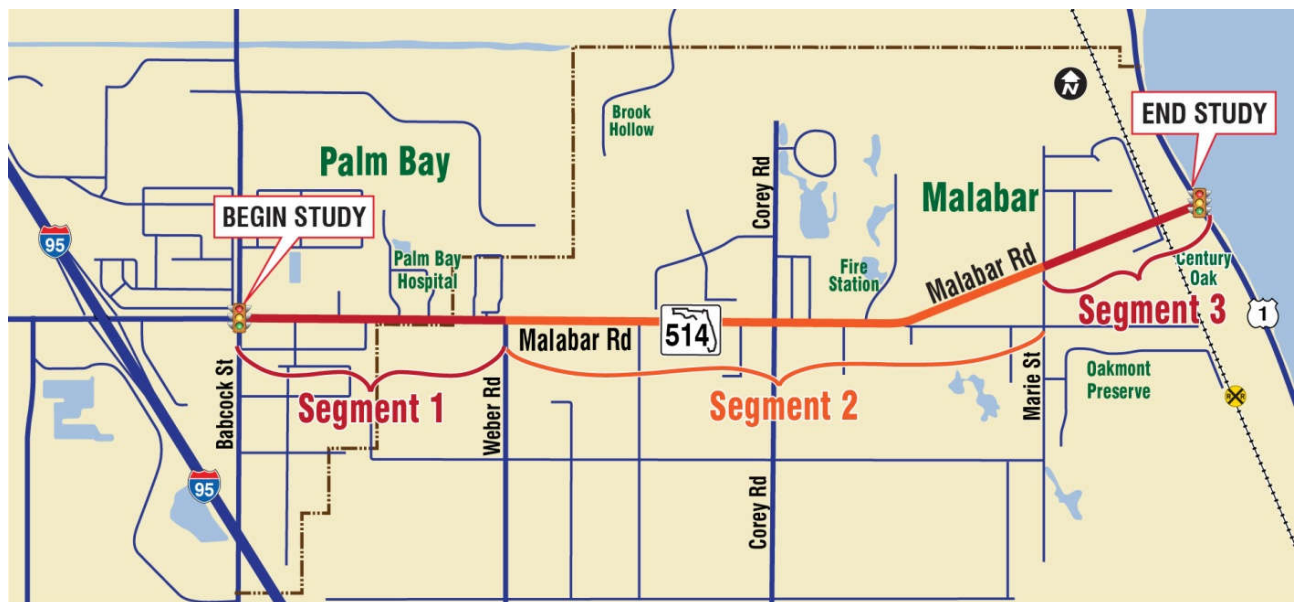
¹ Premised upon the Recommended Alternative alignment.

Section 1.0 Project Summary

1.1 Project Description

Malabar Road (SR 514) is an east-west urban minor arterial located in Brevard County that begins approximately 7.4 miles west of its interchange with I-95 and continues east to US 1, traversing the City of Palm Bay and the Town of Malabar. East of Babcock Street, the Malabar Road is primarily a two-lane, undivided rural roadway. There are two signalized intersections within the project limits: at Babcock Street (SR 507) and at US 1. Land use within the corridor includes commercial, conservation, recreation, and low-density residential development. The Florida Division of Emergency Management has designated Malabar Road (SR 514) as an evacuation route. There is also a Florida East Coast (FEC) rail crossing approximately 600 feet west of US 1. **Figure 1-1** represents the project location map.

Figure 1-1: Project Location Map



Three project segments were identified based on existing land use characteristics so appropriate context sensitive improvements can be identified and developed.

- Segment 1, from Babcock Street to Weber Road, is urban in nature with commercial land uses including the Life Center of Palm Bay and Palm Bay Hospital.
- Segment 2, from Weber Road to Marie Street, is less developed and more rural in nature, with the Malabar Scrub Sanctuary occupying a large portion of the lands abutting the

roadway, some single-family homes on large parcels, the Malabar Disc Golf Park, Fern Creek Crossing Park, and some churches.

- Segment 3, like Segment 1, is more urban in nature, with smaller residential parcels, commercial land uses, downtown Malabar and Town Hall, the FEC railroad, and US 1 intersection.

Malabar Road (SR 514) is four-lanes from between Minton Road and Babcock Street (SR 507), after which it then transitions to a two-lane facility. Speed limits vary along the corridor, beginning at Babcock Street (SR 507) where it is 45 mph miles per hour (mph), transitioning to 55 mph just east of Weber Road, transitioning to 50 mph to east of Corey Road, then transitioning again to 45 mph west of Marie Street, and finally to 30 mph east of Marie Street to US 1. The existing ROW width in the corridor varies: typically 116 feet between Babcock Street (SR 507) and Enterprise Avenue, 83 feet from Enterprise Avenue to Weber Road, 66 feet from Weber Road to west of Marie Street feet, and 50 feet from west of Marie Street to US 1.

Roadway improvements to Malabar Road (SR 514) are identified in the Town of Malabar Comprehensive Plan and the City of Palm Bay Comprehensive Plan, and are part of the Space Coast Transportation Planning Organization's 2040 Long Range Transportation Plan. The project is being considered to accommodate projected future traffic demand (Design Year 2045) along Malabar Road. The No-Build Alternative was also considered, and remained a viable alternative through the Public Hearing phase of the project.

Existing roadway typical sections and descriptions are located in the Final Preliminary Engineering Report and project file.

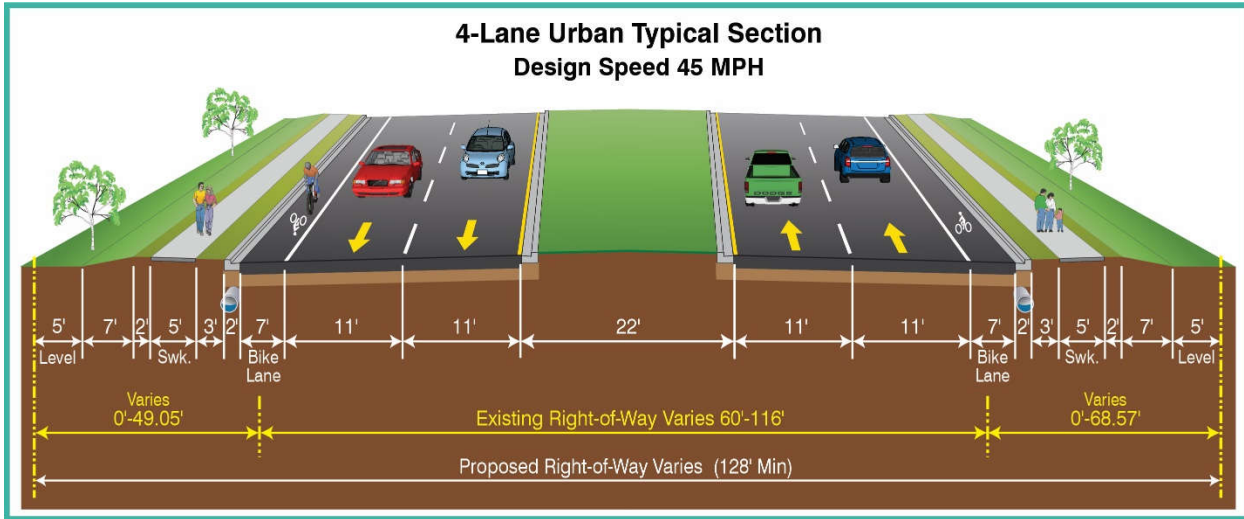
1.2 Recommended Alternative

The Recommended Alternative consists of four different typical sections that vary from west to east, as follows. Roadway alignment plan sheets are located in **Appendix A**.

Segment 1: From East of Babcock Street (SR 507) to Weber Road. Beginning east of Babcock Street (SR 507), the Recommended Alternative includes a four-lane urban typical section (**Figure 1-2**), providing two 11-foot travel lanes, a seven-foot bicycle lane and five-foot sidewalk in each direction with a 45-mph design speed and posted speed limit. Travel lanes are separated by a 22-foot wide raised grass median. Drainage is handled by curb-and-gutter and a closed drainage system to route stormwater runoff to offsite ponds. The alignment is a best-fit approach, starting to the north of the existing alignment and then transitioning south just west of a proposed roundabout at Weber Road. This segment ties into the Babcock Street intersection which was

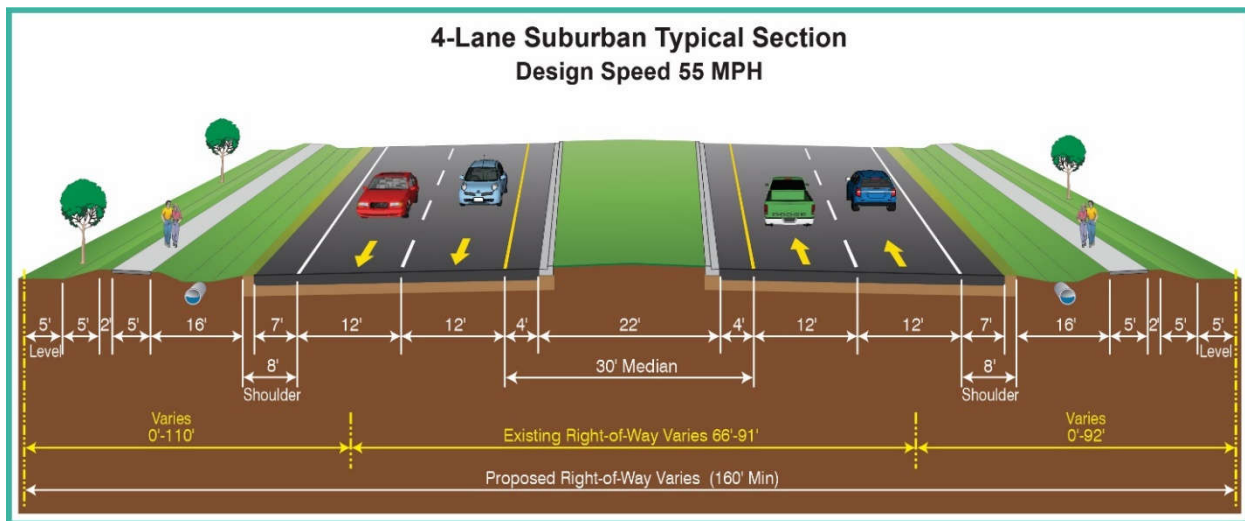
the subject of an improvement project (FPID 237650-3) completed in 2013 to widen for new turn lanes, improve the existing turn lanes, add mast arm signalization, and install new street lighting.

Figure 1-2: Recommended Typical Section – Segment 1



Segment 2a: From Weber Road to Corey Road. Just west of Weber Road, the Recommended Alternative transitions from a four-lane urban typical section to a four-lane suburban typical section (**Figure 1-3**). The four-lane suburban typical section provides two 12-foot travel lanes, an eight-foot shoulder (seven-foot paved which accommodates a bicycle lane), and a five-foot sidewalk in each travel direction. The design speed is 55 mph and the posted speed limit is 50 mph.

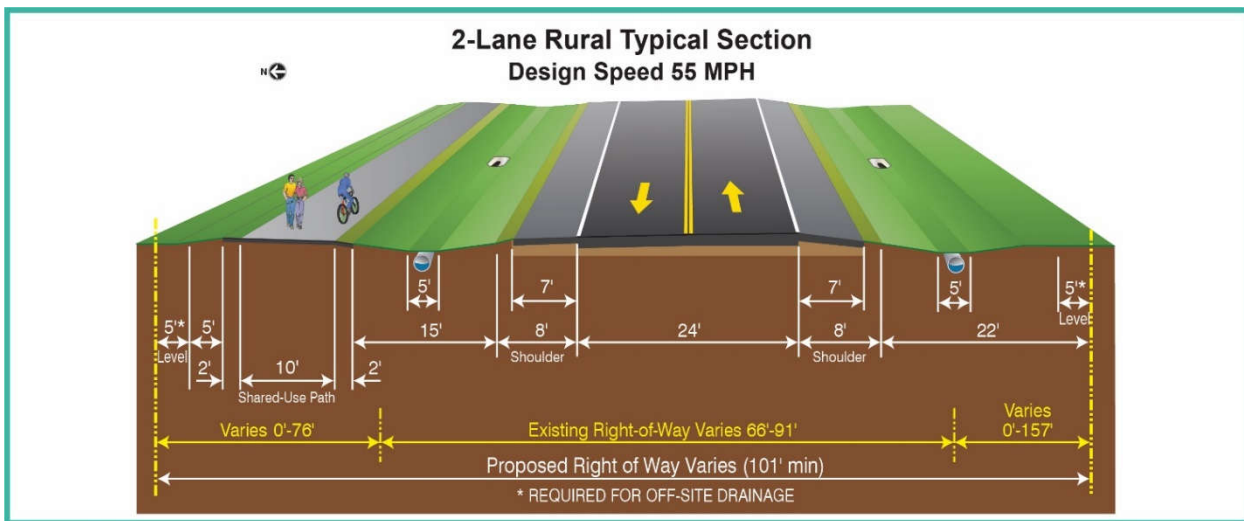
Figure 1-3: Recommended Typical Section – Segment 2a



Travel lanes are separated by a 30-foot wide median which includes a 22-foot raised grass area and two four-foot inside paved shoulders. Drainage swales/ditches are located on both sides of the roadway. Roundabouts are proposed at the Malabar Road (SR 514) intersections at Weber Road and Corey Road. The alignment is a best-fit concept. From west to east after the roundabout at Weber Road, the alignment shifts south then north to align with the proposed Corey Road roundabout. Additional right-of-way will be required from parcels on both sides of Malabar Road (SR 514) including approximately 0.38 acres from the Malabar Scrub Sanctuary and 0.02 acres from Fern Creek Crossing Park.

Segment 2b: From Corey Road to Marie Street. East of the Corey Road intersection, the Recommended Alternative transitions from the four-lane suburban typical section into a two-lane rural roadway (**Figure 1-4**) including one 12-foot wide travel lane, an eight-foot shoulder (seven-foot paved which accommodates a bicycle lane) in each direction, and a 10-foot shared-use path along the north side of Malabar Road (SR 514), which provides a pedestrian and bicycle facility and connects the trailhead at Marie Street to the Malabar Community Park, the Malabar Scrub Sanctuary, and the Malabar Disc Golf Course Park. The design speed is 55 mph with a 50-mph posted speed limit. The alignment is a best-fit concept. Between Corey Road and Shiflett Lane, parcels on both sides – with exception of the U.S. Post Office located on the north side – are impacted as the alignment transitions from a four-lane roadway to a two-lane roadway. Between Shiflett Lane and Marie Street the alignment has impacts to both the Malabar Scrub Sanctuary (0.34 acre) and Malabar Disc Golf Park (0.12 acre). The alignment shifts south of the existing roadway on the east side of the Disc Golf Park.

Figure 1-4: Recommended Typical Section – Segment 2b

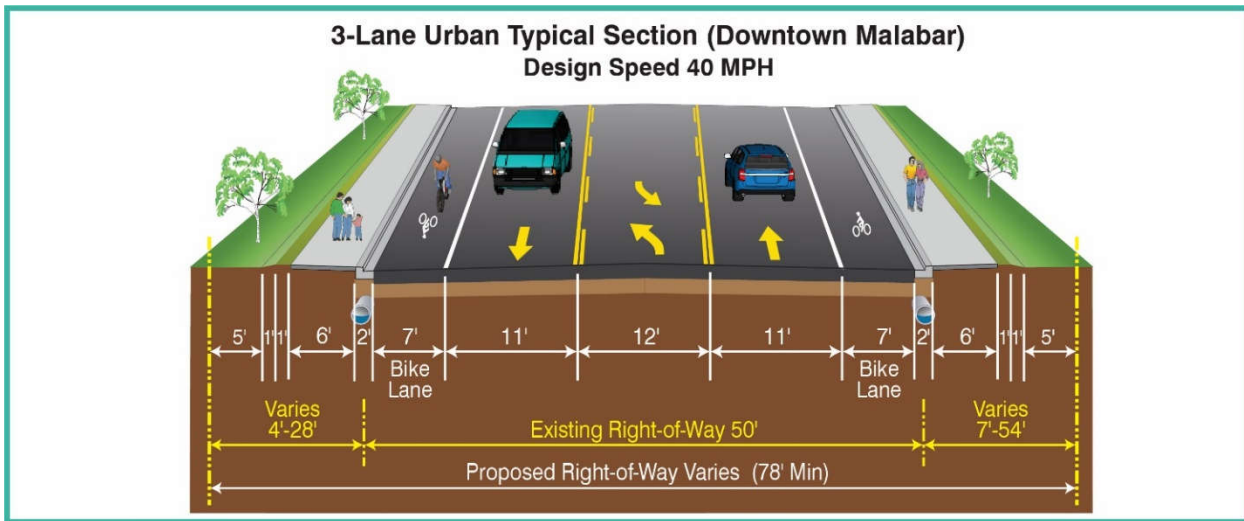


Segment 3: Marie Street to US 1. East of Marie Street, the typical section transitions into a three-lane urban typical section (**Figure 1-5**). The recommended typical section includes one 11-foot travel lane in each direction, a 12-foot center bi-directional left-turn lane, and seven-foot bicycle

lanes and six-foot sidewalks in each direction. Drainage is handled by curb-and-gutter and a closed drainage system to route stormwater runoff to offsite ponds. The design speed is 40 mph with a 35-mph posted speed limit. A best-fit alignment is centered on the existing roadway location, with ROW acquisition from both sides of the roadway. Additional lanes are proposed at the US 1 intersection as warranted by the traffic forecasts.:

- A second northbound left turn lane and a second westbound receiving lane;
- A second eastbound left turn lane;
- Two northbound through lanes; the existing northbound signal bypass lane will be removed, and both northbound through lanes will be signal controlled.

Figure 1-5: Recommended Typical Section – Segment 3



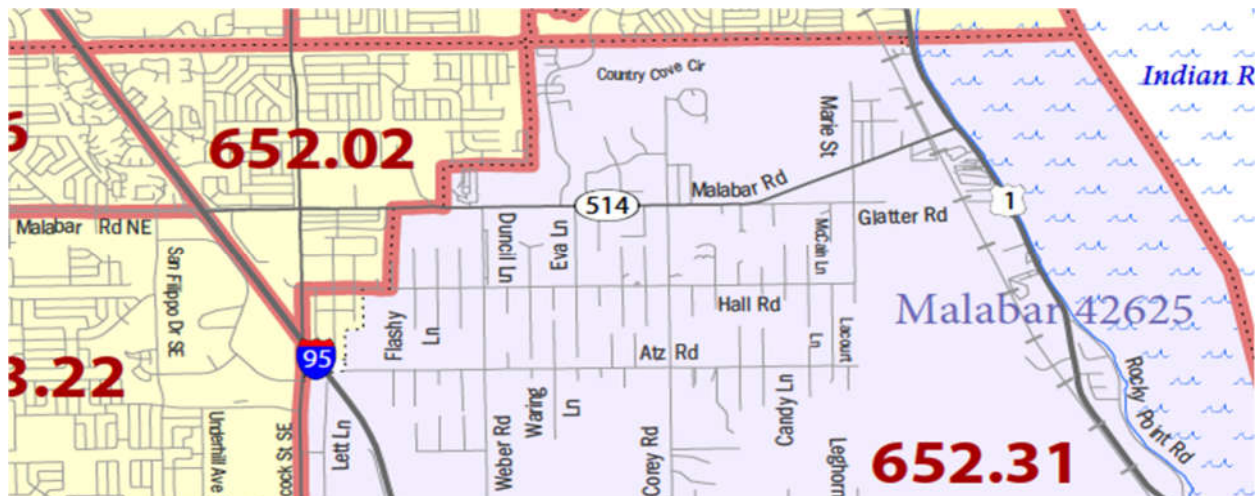
Section 2.0 Project Approach

The purpose of the Conceptual Stage Relocation Plan is to provide a summary of the projected relocation activity associated with the proposed alignment. The study was conducted using secondary sources. Information includes data related to the demographics of the households and businesses being relocated, replacement property, and relocation assistance, per the PD&E Manual, Part, 2, Chapter 4 and FDOT Procedures Manual Chapter 9.1.3 - 9.1.7.

To assess community characteristics, an analysis and comparison of state, county and study area demographic and other data was prepared. The project area affects one county and 2 census tracts as depicted in Brevard County Census Tracts 652.02 and 652.31 (**Figure 2-1**). The demographic and other information collected and analyzed have included total, male/female, elderly and minority populations, along with income range, household size, owner/tenant occupancies, and housing costs. This data allows comparisons across population characteristics which provide a basis for understanding community impacts.

Based upon the required configuration of the Recommended Alternative for the Malabar Road (SR 514) project, a determination was made as to the nature of the impacts to affected properties. This assessment included partial takes and whole acquisitions requiring relocations. In this respect, the FDOT District 5 had a ROW cost estimate prepared. As noted within these summaries the number and property type of the potential relocations were identified.

Figure 2-1: Brevard County Census Tracts 652.02 and 652.31



Section 3.0 Demographics

This section presents the demographic data for the impacted areas and for the state.

3.1 Population

Table 3-1 presents estimated population census data and projected data, gathered from the US Census, and the Florida Statistical Abstracts, prepared by the Bureau of Economic and Business Research (BEBR) at the University of Florida/Gainesville. BEBR shows projections at three levels - low, medium and high - the projections below are from the Medium category.

Table 3-1: Florida and Brevard County Existing (Estimated) and Projected Population

Area	2016	2040	Projected % Population Change 2016-2040
Florida	20,612,439	26,426,375	28.20%
Brevard	579,130	800,000	38.13%

Source: U.S. Census Bureau Data 2016, "Florida Today" Website, BEBR

Population densities for the Florida and Brevard County as determined in 2016 are shown in **Table 3-2**.

Table 3-2: Florida and Brevard County Population Densities

Area	Florida 2016	Brevard County 2016
Density/Sq. Mile	350.6	535.0

Source: U.S. Census Bureau Data 2016

The following **Table 3-3** presents population data for Brevard County by gender and race.

Table 3-3: Brevard County Population by Gender and Race

Brevard	2000	2010	2015 (ACS)	2000-2015 (ACS) Percent Change
Population	476,230	540,583	553,591	16.24%
By Gender:				
Male	232,983	264,955	270,554	16.13%
Female	243,247	275,628	283,047	16.36%
By Race:				
White Alone	413,023	453,634	459,762	11.32%

Brevard	2000	2010	2015 (ACS)	2000-2015 (ACS) Percent Change
Black Alone	38,680	52,758	56,914	47.14%
Other	24,527	34,191	36,915	50.51%

Source: U.S. Census Bureau Data 2000, 2010, 2015 (ACS)

The preceding tables indicate that, in all instances, the female population exceeds the male population, and the “White Alone” category significantly exceeds the “Black Alone” and “Other” populations. The following **Table 3-4** provides population statistics for the project area.

Table 3-4: Study Area Demographics

Study Area	2000	2010	2015 (ACS)	2000-2015 Percent Change
Population	304	291	321	5.59%
By Gender:				
Male	155	143	146	-5.81%
Female	150	148	175	16.67%
By Race:				
White Alone	258	251	276	6.98%
Black Alone	22	21	25	13.64%
Other	23	18	19	-17.39%

Source: U.S. Census Bureau Data 2000, 2010, 2015 (ACS)

In the study area, the number of females was slightly higher than males in 2010 and 2015. In all instances, the “White Alone” population substantially exceeds the “Black Alone” and “Other” populations.

3.2 Housing

The following **Table 3-5** provides various household information. According to US Census and ACS data, the average number of persons per household in Florida was 2.63; Brevard County in 2015 it was 2.46, and in the project area it was 2.68. As detailed below, most of the housing in Florida, Brevard County, and in the project area is owner-occupied.

Table 3-5: Household Information

	Florida		Brevard County		Project Area	
Households						
Average Persons/Household						
Average Persons Per Household	2.63		2.46		2.68	
Average Persons Per Family	2.49		3.14		3.23	
Total Households	7,300,494		222,791		108	
Housing Units/Housing Status						
Housing Units						
Owner-Occupied	4,765,260	52%%	159,654	58.77%	90	75%
Renter-Occupied	2,535,234	27.87%	63,137	23.23%	17	14.17%
Vacant	1,794,505	19.7%	48,863	17.98%	12	10%
Total Housing Units	9,094,999		271,654		120	

Source: U.S. Census Bureau Data 2015 (ACS)

Disabled Persons Relocation Projection: In the following **Table 3-6**, those with disabilities in Florida, Brevard County, and the project area are considered. There are 13 people within the project area between the ages of 20 and 64 that are designated as having a disability.

Table 3-6: Disabled Persons

	Total Population 2015 (ACS)	Total Disabled between the ages of 20 and 64	% Disabled 2015 (ACS)
Florida	20,612,439	1,752,057	8.5%
Brevard County	553,591	36,263	11.59%
Project Area	321	13	6.74%

Source: U.S. Census Bureau Data 2015 (ACS)

Elderly Persons Projection: In the following **Table 3-7**, elderly members of the population in Florida, Brevard County, and the project area are considered. Median age for the project area is 44 and persons that are 65 years and over comprise 18.07% of the inhabitants.

Table 3-7: Persons Age 65 and Over

	Total Population 2015 (ACS)	Total Elderly 2015 (ACS)	% Elderly 2015 (ACS)
Florida	20,612,439	4,122,489	22%
Brevard County	553,591	121,790	22.00%
Project Area	321	68	18.07%

Source: U.S. Census Bureau Data 2015 (ACS)

No specific disabled or elderly individuals have been identified as displaced persons, with the possible exception of the occupants of the dwelling located in a 55 and older mobile home community. A Needs Assessment Survey, conducted during the ROW phase, will yield an accurate count of relocatees requiring special assistance and accommodations, if any.

3.3 Income and Employment

In the following **Table 3-8**, personal income data for the Florida, Brevard County, and the project area are provided. Note that the median household income and home value for the project area is higher than the state and county, but the households below poverty level is higher.

Table 3-8: Household Incomes

Income	Florida 2015 (ACS)	Brevard County 2015 (ACS)	Project Area
Median Household Income	\$47,507	\$48,925	\$55,012
Households below Poverty Level	14.70%	13.00%	16.2%
Median Home Value	\$159,000	\$142,200	\$192,550
Median Gross Rent	\$1002	\$909	\$692

Source: U.S. Census Bureau Data 2015 (ACS), CoStar

The Current Employment Statistics (CES) program estimates nonagricultural employment by industry based on the North American Industry Classification System (NAICS). These estimates represent jobs by place of work and are generated from a monthly survey of businesses in Florida. The monthly survey includes estimates for the current month, previous month, and the current month a year ago, along with monthly and annual changes. All employee hours and earnings are also developed monthly for the state and selected metro areas.

Statewide employment by industry data are available both seasonally adjusted and not seasonally adjusted. Sub-state areas are available seasonally adjusted for the total nonagricultural employment level only. Sub-state areas are available by industry for not

seasonally adjusted. These employment, hours, and earnings estimates are developed by the U.S. Department of Labor, Bureau of Statistics.

The following **Table 3-9** shows employment and jobless data for Florida and the Brevard County area.

Table 3-9: Employment Status

Employment Status	Florida (BLS 2015)		Brevard County (ACS 2015)	
Employed	9,627,892		240,892	
Unemployed	513,168	5.6%	15,217	5.9%

Source: Bureau of Labor Statistics 2015, U.S. Census Bureau Data 2015 (ACS)

The data indicate that jobless rates are on par with much of the rest of the state. A comparison of the percent of persons employed in the major industry groups in the state versus those in the major industry groups in Brevard County follows in **Table 3-10**.

Table 3-10: Employment Numbers by Major Industry Group (2009 – 2015 ACS)

Industry Group	Florida	Brevard County
Civilian employed population 18 years and over	54.4%	49.7%
Agriculture, forestry; fishing & hunting; mining	92,525	1,734
Construction	479,200	14,811
Manufacturing	356,900	23,135 (5 th)
Wholesale trade	340,800	4,722
Retail Trade	1,109,500 (4 th)	32,561 (3 rd)
Transportation, warehousing & utilities	278,700	9,928
Information	137,200	4,166
Finance, insurance; real estate, rental, leasing	547,700	10,700
Professional, management; administrative, waste management services	1,295,900 (1 st)	33,393 (2 nd)
Educational services; health care & social assistance	1,248,400 (2 nd)	53,964 (1 st)
Leisure and hospitality (arts, entertainment & recreation; accommodation & food services)	1,177,800 (3 rd)	27,101 (4 th)

Industry Group	Florida	Brevard County
Other services, except public administration	350,600	13,225
Federal, state, and local Government	1,100,200 (5 th)	12,441

Source: 2010 and 2016 ACS and Census Bureau Data, 2016 (CES)

The top five groups showing the heaviest concentrations of workers have been highlighted above. In Florida, the largest group is comprised of professional, management, administrative and waste management services; followed by educational services, health care and social assistance; then leisure and hospitality, followed by retail trade, and ending with Federal, state, and local government work.

However, in Brevard County, the top five groups are educational services, health care and social assistance is first, followed by professional, management, administrative and waste management services; then retail trade, followed by leisure and hospitality as fourth, with manufacturing in last position. Both in Florida and Brevard County, agriculture, forestry, fishing and hunting, and mining are the lowest employment group.

Section 4.0 Relocation Impacts

This section of the report identifies the potential impacts and displacements anticipated due to the Malabar Road project. **Table 4-1** summarizes the residential, business, non-profit and sign displacements for the proposed project.

Table 4-1: Residential and Business Displacements

Type of Displacement	Number of Displacements
Residential Relocations	
Owners of the Lot	1
Tenants on the Lot	7
Total Residential	8
Business Relocations	2
Non-profit Relocations	1
Sign Impacts (On Premise Signs Only)	17
Total Overall Relocations	28

4.1 Residential Impacts

The preceding table indicates a total of eight residential dwellings occupied by owners or tenants. The tax record for each home shows a mailing and site address. When these are different, the assumption is made that owners live offsite and occupants are tenants. As stated, secondary sources were used to complete this study. Therefore the race, age, income, number of occupants and presence of handicapped or disabled residence for each household has not been determined. A Needs Assessment Survey, conducted during the ROW phase, will yield an accurate count of owners and tenants. Details for each property are shown in **Table 4-2**. One mobile home will be affected. It is unknown if the occupant is an owner or a tenant. Potential residential relocations are shown on the Plan Sheets located in **Appendix A**.

Table 4-2: Residential Relocations

Parcel #	Tax ID #	Street Address	Property Use	Owner/ Tenant	Year Built
14	2845879	750 Malabar Road	Manufactured Housing Park	Unknown	1952-2006
23	2846139	1300 Malabar Road	Duplex (<i>Two Households</i>)	Tenants	1958
33	2846406	1610 Corey Road	Single Family Residence	Tenant	1960
58	2851114	2530 Malabar Road	Single Family Residence	Owner	1945
73	2851105	2770 Malabar Road	Res/ 3-4 Units Not Attached	Tenant	1941
74A	2851106	2800 Malabar Road	Single Family Residence	Tenant	1926
127	2846322	2165 Malabar Road	Single Family Residence	Tenant	1983

4.2 Business and Non-profit Impacts

There are two business and one non-profit retail store relocations anticipated due to the proposed project and are identified in the following **Table 4-3**. These potential relocations are shown on the Plan Sheets located in **Appendix A**.

Table 4-3: Business and Non-profit Relocations

Parcel #	Tax ID#	Street Address	Property Use	Year Built
59	2851117	2540 Malabar Road	Non-profit Retail Store	1930
69	2851043	2728 Malabar Road	Kemfer's Feed & Seed Retail Store	1950
144	2851081	2695 Malabar Road	Retail Store	1920

4.3 Sign Relocations

There are 17 potential on-premise sign relocations, as shown in **Table 4-4**.

Table 4-4: Sign Relocations

Parcel #	Tax #	Faces	Notes
7	2858989	2	Pole sign
14	2845879	2	Lighted pole sign
14	2845879	2	Lighted pole sign
14	2845879	1	Pole sign
56	2851127	1	Pole sign
56	2851127	2	Pole sign
56	2851127	1	Pole sign
95	2961453	2	Pole sign
95	2961453	2	Lighted pole sign
97	2960441	2	Monument sign
114	2922472	1	Pole sign
115	2922170	2	Pole sign
115	2922170	2	Monument lighted sign
N/A	2846299	2	Pole sign
120	2922165	2	Pole sign
133	2846315	2	Pole sign
151	2851096	2	Lighted pole sign

The signs identified above may be within the new ROW. Their potential and/or necessity for relocation has yet to be determined.

4.4 Publicly Owned Facilities

While no publicly owned facilities are displaced by the proposed project, the project is impacting publicly owned parcels. **Table 4-5** identifies the facility and the acreage needed from each parcel.

Table 4-5: Publicly Owned Facilities Impacted

Parcel #	Tax #	Owner	Property Use	Total Property Area (Ac)	Recommended Alternative Impact (Ac)	Percent Impact
19	2846128	FDEP* - Division of State Lands	Malabar Scrub Sanctuary	92.54	0.08	0.09%
20	2846128	FDEP - Division of State Lands	Malabar Scrub Sanctuary	92.54	0.29	0.32%
44	2846300	Town of Malabar	Fire Station	20.49	0.08	0.38%
45	2846290	FDEP - Division of State Lands	Malabar Scrub Sanctuary	93.67	0.28	0.30%
46	2846294	Brevard County	Malabar Scrub Sanctuary	1.30	0.05	3.80%
47A	2846307	FDEP - Division of State Lands	Malabar Scrub Sanctuary	30.53	0.00	0.01%
47B	2846307	FDEP - Division of State Lands	Malabar Scrub Sanctuary	30.53	0.01	0.02%
114	2922472	Town of Malabar	Fern Creek Crossing Park	1.24	0.02	1.71%
120	2922165	Town of Malabar	Disc Golf Park	8.20	0.12	1.42%
146	2851083	Town of Malabar	Malabar Town Hall	0.09	0.01	7.54%

* FDEP - Florida Department of Environmental Protection

Section 5.0 Relocation Resources

5.1 Residential

A majority of the project is in the City of Malabar. This is a bedroom community consisting of larger tracts of land with widely spaced homes typically occupied by owners. It is bounded on the north and west by Palm Bay and on the south by Grant-Valkaria, another lightly populated rural area. While there is one church and one doctor in Malabar, residents attend schools, shop for groceries, conduct business, and seek medical services in adjacent cities of Palm Bay, Melbourne, West Melbourne and farther away.

The source for rental data is the Multiple Listing Service (MLS.) The local and daily newspapers, "Home Town News" and "Florida Today," carried no classified ads for rental homes in Malabar. Similarly, no MLS-listed rentals were found in Malabar and none were found on websites such as Zillow, Rentals.com, Rent.com, and Homes.com.

The eight residential project displacements range in size from 600 square feet to 1,721 square feet. A search for rentals located in zip codes adjacent and near to Malabar Road identified 80 single family rentals as shown in **Table 5-1**. There are very few duplexes in the area, and none were listed for rent.

Since bedrooms and bathrooms are not detailed in Brevard County Assessor records, the remaining point of comparability for this report is living space square footage. Because Relocation Regulations allow replacement housing for occupants of duplexes and mobile homes to be upgraded to single family residences, that type of housing is being given primary consideration. At the time of the Needs Assessment Survey a more thorough determination of the displaced situation and actual needs can be made.

The mobile home affected by the project is in the Enchanted Lakes Park. This is a 55 or older age-restricted community which offers mobile home spaces for rent. If the displaced mobile home is owner-occupied and can be moved, seasonal availability of rental pads will be a factor in the relocation. In addition, most communities have minimum requirements for age and condition of the unit.

While replacement housing is restricted within the immediate project area, a sufficient supply exists in the nearby towns of Palm Bay, Melbourne and West Melbourne to provide relocation alternatives to those being impacted by the proposed project.

Table 5-1: Displacements / Available Rentals

Parcel #	Street Address	Displaced Unit	Owner/ Tenant	Square Footage	Rentals Available
14	750 Malabar Road	Mobile Home	Unknown	600 (est.)	9
73	2770 Malabar Road	Single Family Residence	Tenant	1,000 (est.)	19
58	2530 Malabar Road	Single Family Residence	Owner	1,142	
33	1610 Corey Road	Single Family Residence	Tenant	1,096	
23	1300 Malabar Road	Duplex	Tenants	1,286 / each	18
74A	2800 Malabar Road	Single Family Residence	Tenant	1,416	14
127A	2165 Malabar Road	Single Family Residence	Tenant	1,721	20

5.2 Housing of Last Resort

The FDOT is prepared to provide ‘housing of last resort’ to any household requiring this type of relocation assistance. When comparable replacement dwelling units are not available within the monetary / affordability limits for owners and/or tenants, the FDOT will provide additional alternative assistance under this plan. Decisions to provide last-resort housing must be adequately justified one of two ways:

1. The maximum replacement housing payment under ***Right-of-Way Manual, Section 9.4, Replacement Housing Payments*** will not be sufficient to provide a comparable replacement dwelling in a timely manner.
2. The market does not contain comparable replacement housing that can be made available to the displacee in a timely manner.

5.3 Business and Non-profit

The two business and one-non-profit retail store relocations will also be eligible for relocation assistance as described below.

Section 6.0 Relocation Assistance

To minimize the unavoidable effects of the ROW acquisition and displacement of residents, the FDOT will carry out a ROW Acquisition and Relocation Assistance Program in accordance with FS, Ch. 339.09 (2&3), The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646, as amended by Public Law 100-17), and the established guidelines by which these programs are administered.

6.1 Relocation Assistance Process

Per the PD&E Manual Part 2, Chapter 4, Section 4.3.4.2:

In order to minimize the unavoidable effects of ROW acquisition and displacement of people, the Florida Department of Transportation will carry out a ROW and Relocation Program in accordance with Florida Statute 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).

The FDOT provides advance notification of impending ROW acquisition. Before acquiring ROW, all properties are appraised using the (USPAP) universal standards of professional appraisal practice. Owners of property to be acquired will be offered and paid fair market value for their property rights.

No person lawfully occupying real property will be required to move without at least 90 days written notice of the intended vacation date, and no occupant of a residential property will be required to move until decent, safe and sanitary replacement housing is made available. "Made available" means that the affected person has either by himself obtained and has the right of possession of replacement housing, or that the Florida Department of Transportation has offered the relocatee decent, safe and sanitary housing which is within his financial means and available for immediate occupancy.

At least one relocation specialist is assigned to each highway project to carry out the Relocation Assistance and Payments program. A relocation specialist will contact each person to be relocated to determine individual needs and desires, and to provide information, answer questions, and give help in finding replacement property. Relocation services and payments are provided without regard to race, color, religion, sex, or national origin.

All tenants and owner-occupant relocatees will receive an explanation regarding all options available to them, such as (1) varying methods of claiming reimbursement for moving expenses; (2) rental replacement housing, either private or publicly subsidized; (3) purchase of replacement housing; and (4) moving owner-occupied housing to another location.

Financial assistance is available to the eligible relocatee to:

- Reimburse the relocatee for the actual reasonable costs of moving from homes, businesses, and farm operations acquired for a highway project.
- Make up the difference, if any, between the amount paid for the acquired dwelling and the cost of a comparable decent, safe and sanitary dwelling available on the private market, as determined by the department.
- Provide reimbursement of expenses incidental to the purchase of a replacement dwelling.
- Make payment for eligible increased interest cost resulting from having to get another mortgage at a higher interest rate. Replacement housing payments, increased interest payments, and closing costs are limited to \$31,000 combined total.

A displaced tenant may be eligible to receive a payment, not to exceed \$7,200, to rent a replacement dwelling or room, or to use as down payment, including closing costs, on the purchase of a replacement dwelling.

The brochures that describe in detail the FDOT’s Relocation Assistance Program and ROW acquisition program are shown in **Table 6-1** and included in **Appendix B**. The brochures include “Residential Relocation Under the Florida Relocation Assistance Program”, “Relocation Assistance Business, Farms and Non-profit Organizations”, “Sign Relocation Under the Florida Relocation Assistance Program”, “Mobile Home Relocation Assistance”, and “Relocation Assistance Program Personal Property Moves.” All these brochures are distributed at all public hearings and made available upon request to any interested persons.

Table 6-1: FDOT’s Relocation Assistance and Right-of-Way Acquisition Program Brochures

Brochure Name	FDOT Website Link
Residential Relocation Under the Florida Relocation Assistance Program	http://www.fdot.gov/rightofway/documents/RelocationResidentialBrochure.pdf
Relocation Assistance Business, Farms and Non-profit Organizations	http://www.fdot.gov/rightofway/documents/RelocationBusinessBrochure.pdf
Sign Relocation Under the Florida Relocation Assistance Program	http://www.fdot.gov/rightofway/documents/RelocationSignBrochure.pdf
Mobile Home Relocation Assistance	http://www.fdot.gov/rightofway/documents/RelocationMobileHomeBrochure.pdf
Relocation Assistance Program Personal Property Moves	http://www.fdot.gov/rightofway/documents/RelocationPersonalPropertyBrochure.pdf

6.2 Community Organizations Providing Assistance

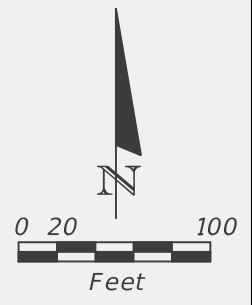
In addition to the relocation assistance afforded by FDOT, local community and service organizations are available to provide assistance. A partial list of these organizations is shown in the following **Table 6-2**.

Table 6-2: Community Assistance Organizations

Organization Name	Brevard County Contact Information	Phone Number
Economic Development Commission of Florida's Space Coast	597 Haverty Court, Suite 40 Rockledge, FL 32955	(800) 535-0203
Chamber of Commerce	Melbourne Regional Chamber of East Central Florida 1005 E. Strawbridge Avenue Melbourne, FL 32901	(321) 724-5400
The Salvation Army	1080 Hickory St Melbourne, FL32901	(321) 724-0494
United Way of Brevard County	937 Dixon Boulevard Cocoa, FL 32922	(321) 631-2740
Consumer Credit Counseling Services	1301 W Eau Gallie Blvd Melbourne, FL 32935	(321) 255-9115

APPENDIX A

RIGHT-OF-WAY PLAN SHEETS



POND A

18

3B
28-37-34-00-503
2845865
79896 Sq. Ft.
1.83 Ac.

4
28-37-34-00-506
2845868
20832 Sq. Ft.
0.48 Ac.

3A
28-37-34-00-503
2845865
2197 Sq. Ft.
0.05 Ac.

0
28-37-34-00-514
2865080
5613 Sq. Ft.
0.13 Ac.

1
PALM BAY
MOOSE LODGE
28-37-34-00-509
2845871
6315 Sq. Ft.
0.14 Ac.

2
CASTAWAY MARINE
FACTORY OUTLET
28-37-34-00-503.1
2845866
9366 Sq. Ft.
0.22 Ac.

MALABAR RD



110

100

105

BABCOCK ST



76
MALABAR LLC
29-37-03-25-2211-12
2922802

77
AMERI-PEST
29-37-03-25-2211-16
2922804

78
29-37-03-25-2211-17
2922805

79
29-37-03-25-2211-18
2922806

80
29-37-03-25-2211-19
2922807

81
MY SAFE HOME
INSPECTION
29-37-03-25-2212-1
2922828

82
LITTLE
IMPRESSIONS
ACADEMY
29-37-03-25-2212-2
2922829

83
INK ABOUT IT
TATOO
29-37-03-25-2212-4
2922831

84
DUVAL CENTER
29-37-03-25-2212-7
2922833

85
29-37-03-25-2212-8
2922835

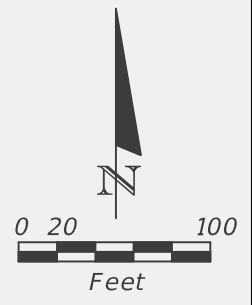
CANOVA ST SE

ENTERPRISE AVE

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

SHEET 01-13

USER: CM1/375 1/15/2018 10:30:00 AM P:\proj\new\2017\05\SR 514 Malabar RV\CD00\DW IMPACT-1011 P01a.dgn



5
28-37-34-00-502
2845864
20269 Sq. Ft.
0.47 Ac.

6
28-37-34-00-513
2864388
2256 Sq. Ft.
0.05 Ac.

7
28-37-34-00-511
2858989
31567 Sq. Ft.
0.72 Ac.

8
28-37-34-00-753
2845874
9698 Sq. Ft.
0.22 Ac.

9
28-37-34-00-760
2852440
3851 Sq. Ft.
0.09 Ac.

MALABAR RD 514

115

120

125

130

86
29-37-03-25-2212-9
2922836

88
MALABAR FEED AND FARM
DEMPSEY AUTOMOTIVE
29-37-03-25-2212-11
2922838

89
SOD DEPOT
29-37-03-25-2212-17
2922844

90
MALABAR AUTO ELECTRIC
REASONABLE AUTO REPAIR
29-37-03-25-2212-21
2922848

CANOVA ST SE

91
MISSILE USED TIRES CORP
29-37-03-25-2214-30
2922921
324 Sq. Ft.
0.01 Ac.

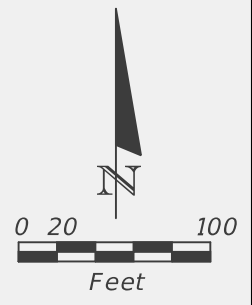
92
29-37-03-01-*-1.01
2922778
8237 Sq. Ft.
0.19 Ac.

93
29-37-03-01-*-1
2922777
15805 Sq. Ft.
0.36 Ac.

CANOVA ST SE

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

SHEET 02-13



10
28-37-34-00-754
PALM BAY
HOSPITAL
2845875

11
28-37-34-00-755
PALM BAY
HOSPITAL
2845876

12
28-37-34-00-763
2866257
4095 Sq. Ft.
0.09 Ac.

13
28-37-34-00-756
2845877
1253 Sq. Ft.
0.03 Ac.

14
28-37-34-00-758
ENCHANTED
LAKES ESTATES
2845879
13185 Sq. Ft.
0.30 Ac.

W STARDUST DR

MALABAR RD 514

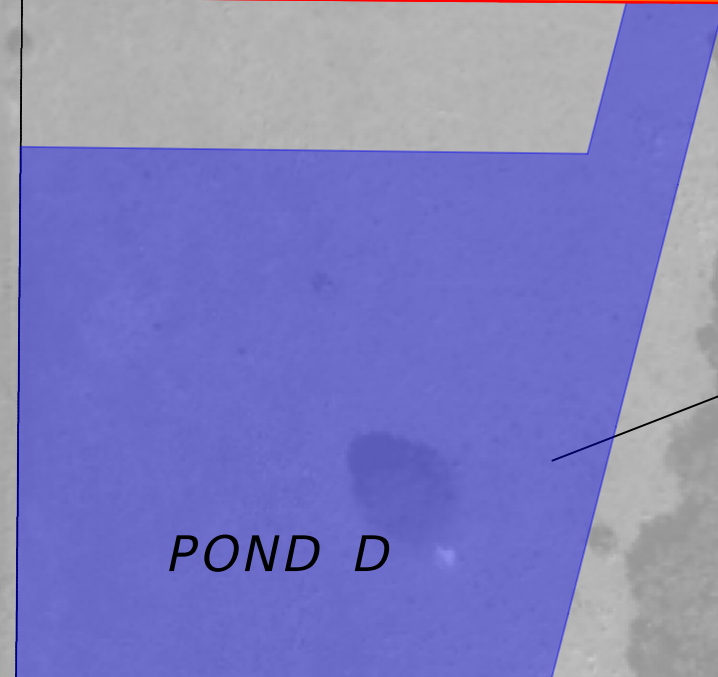


94
29-37-03-01-*--2.01
2922780
16354 Sq. Ft.
0.38 Ac.

95
29-37-03-02-*--1.02
2961453
19134 Sq. Ft.
0.44 Ac.

96A
29-37-03-02-*--1
2960373
29451 Sq. Ft.
0.68 Ac.

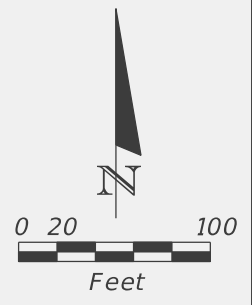
96B
29-37-03-02-*--1
2960373
140414 Sq. Ft.
3.22 Ac.



POND D

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

SHEET 05-13



E STARDUST DR

E STARDUST DR

MALABAR RD

WEBER RD



POND F
BASIN 4

16B

28-37-35-00-504
2846130
109478 Sq. Ft.
2.51 Ac.

15

28-37-35-00-503
2846129
5114 Sq. Ft.
0.12 Ac.

16A

28-37-35-00-504
2846130
111 Sq. Ft.
0.002 Ac.

17

28-37-35-00-505
2846131

18

28-37-35-00-506
2846132

150

155

160

97

BREWARD
HEALTH
ALLIANCE CLINIC
29-37-03-02-* -1.01
2960441
13701 Sq. Ft.
0.31 Ac.

98

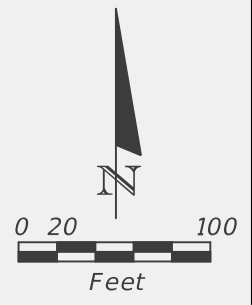
29-37-02-00-295
2963184
19316 Sq. Ft.
0.44 Ac.

99

29-37-02-00-253
2963199
76481 Sq. Ft.
1.76 Ac.

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

SHEET 04-13



ABSAROKA LN

21A

28-37-35-75-*68

2862996

15276 Sq. Ft.
0.35 Ac.

20

28-37-35-00-500

2846128

12839 Sq. Ft.
0.29 Ac.

19

28-37-35-00-500

2846128

3608 Sq. Ft.
0.08 Ac.



MALABAR RD

175

180

170

104A

29-37-02-00-42

2922442

10381 Sq. Ft.
0.24 Ac.

103

29-37-02-00-47

2922447

8154 Sq. Ft.
0.19 Ac.

104B

29-37-02-00-42

2922442

54666 Sq. Ft.
1.25 Ac.

102

29-37-02-00-287

2922525

40914 Sq. Ft.
0.94 Ac.

101

29-37-02-00-251

2922488

29454 Sq. Ft.
0.68 Ac.

100

29-37-02-00-254

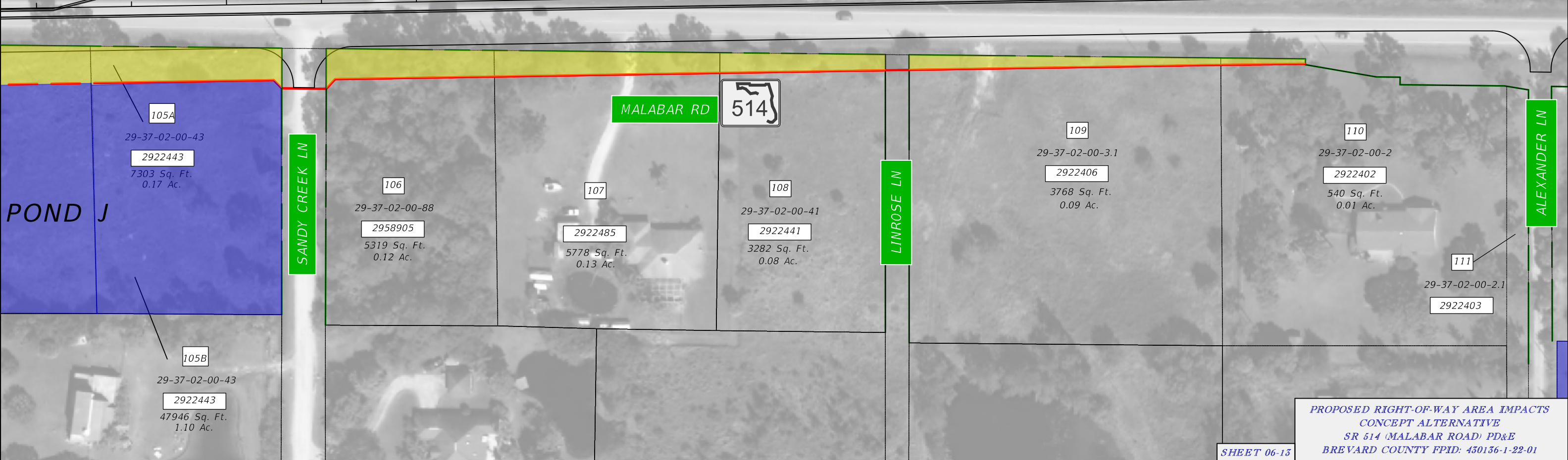
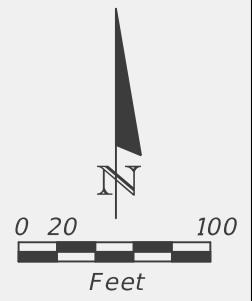
2922490

34882 Sq. Ft.
0.80 Ac.

EVA LN

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

SHEET 05-13



2R

22A
28-37-35-75-+-67
2862995
19240 Sq. Ft.
0.44 Ac.

23
28-37-35-00-758
2846139
8684 Sq. Ft.
0.20 Ac.

24
28-37-35-00-759
2846140
10913 Sq. Ft.
0.25 Ac.

25
28-37-35-75-*-50
2862978
10990 Sq. Ft.
0.25 Ac.

26
28-37-35-75-*-49
2862977
11622 Sq. Ft.
0.27 Ac.

27
28-37-35-75-*-48
2862976
12254 Sq. Ft.
0.28 Ac.

28
28-37-35-75-*-47
2862975
12886 Sq. Ft.
0.30 Ac.

29
28-37-35-75-+-46
2862974
13496 Sq. Ft.
0.31 Ac.

30
28-37-35-75-+-45
2862973
13094 Sq. Ft.
0.30 Ac.

POND J
105A
29-37-02-00-43
2922443
7303 Sq. Ft.
0.17 Ac.

105B
29-37-02-00-43
2922443
47946 Sq. Ft.
1.10 Ac.

SANDY CREEK LN

106
29-37-02-00-88
2958905
5319 Sq. Ft.
0.12 Ac.

107
2922485
5778 Sq. Ft.
0.13 Ac.



108
29-37-02-00-41
2922441
3282 Sq. Ft.
0.08 Ac.

LINROSE LN

109
29-37-02-00-3.1
2922406
3768 Sq. Ft.
0.09 Ac.

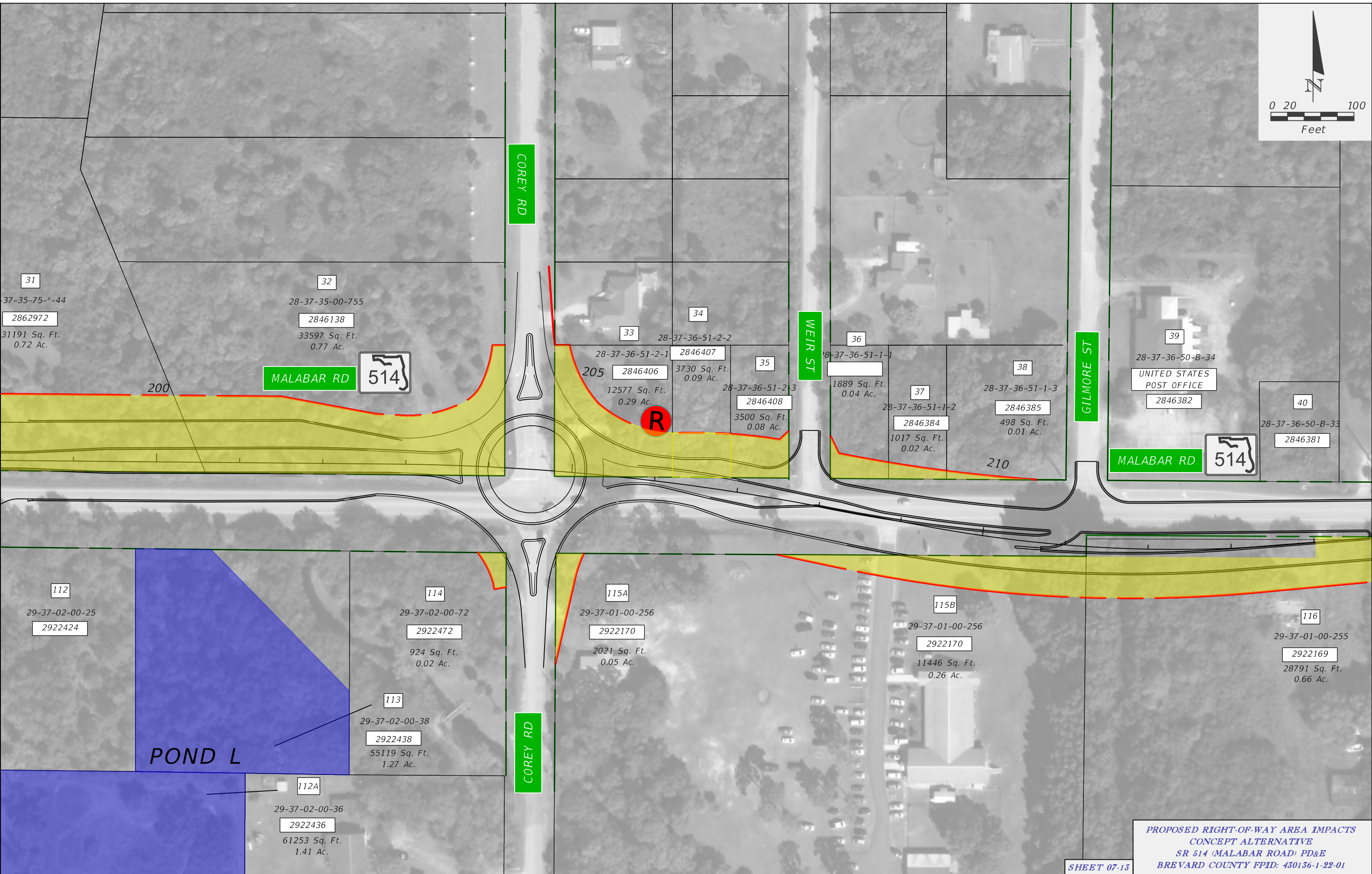
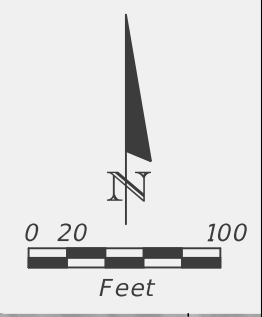
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29-37-02-00-2
2922402
540 Sq. Ft.
0.01 Ac.

ALEXANDER LN

111
29-37-02-00-2.1
2922403

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

SHEET 06-13



31
28-37-35-75-44
2862972
31191 Sq. Ft.
0.72 Ac.

32
28-37-35-00-755
2846138
33597 Sq. Ft.
0.77 Ac.

33
28-37-36-51-2-1
2846406
12577 Sq. Ft.
0.29 Ac.

34
28-37-36-51-2-2
2846407
3730 Sq. Ft.
0.09 Ac.

35
28-37-36-51-2-3
2846408
3500 Sq. Ft.
0.08 Ac.

36
28-37-36-51-1-1
1889 Sq. Ft.
0.04 Ac.

37
28-37-36-51-1-2
2846384
1017 Sq. Ft.
0.02 Ac.

38
28-37-36-51-1-3
2846385
498 Sq. Ft.
0.01 Ac.

39
28-37-36-50-B-34
UNITED STATES
POST OFFICE
2846382

40
28-37-36-50-B-33
2846381

112
29-37-02-00-25
2922424

114
29-37-02-00-72
2922472
924 Sq. Ft.
0.02 Ac.

115A
29-37-01-00-256
2922170
2021 Sq. Ft.
0.05 Ac.

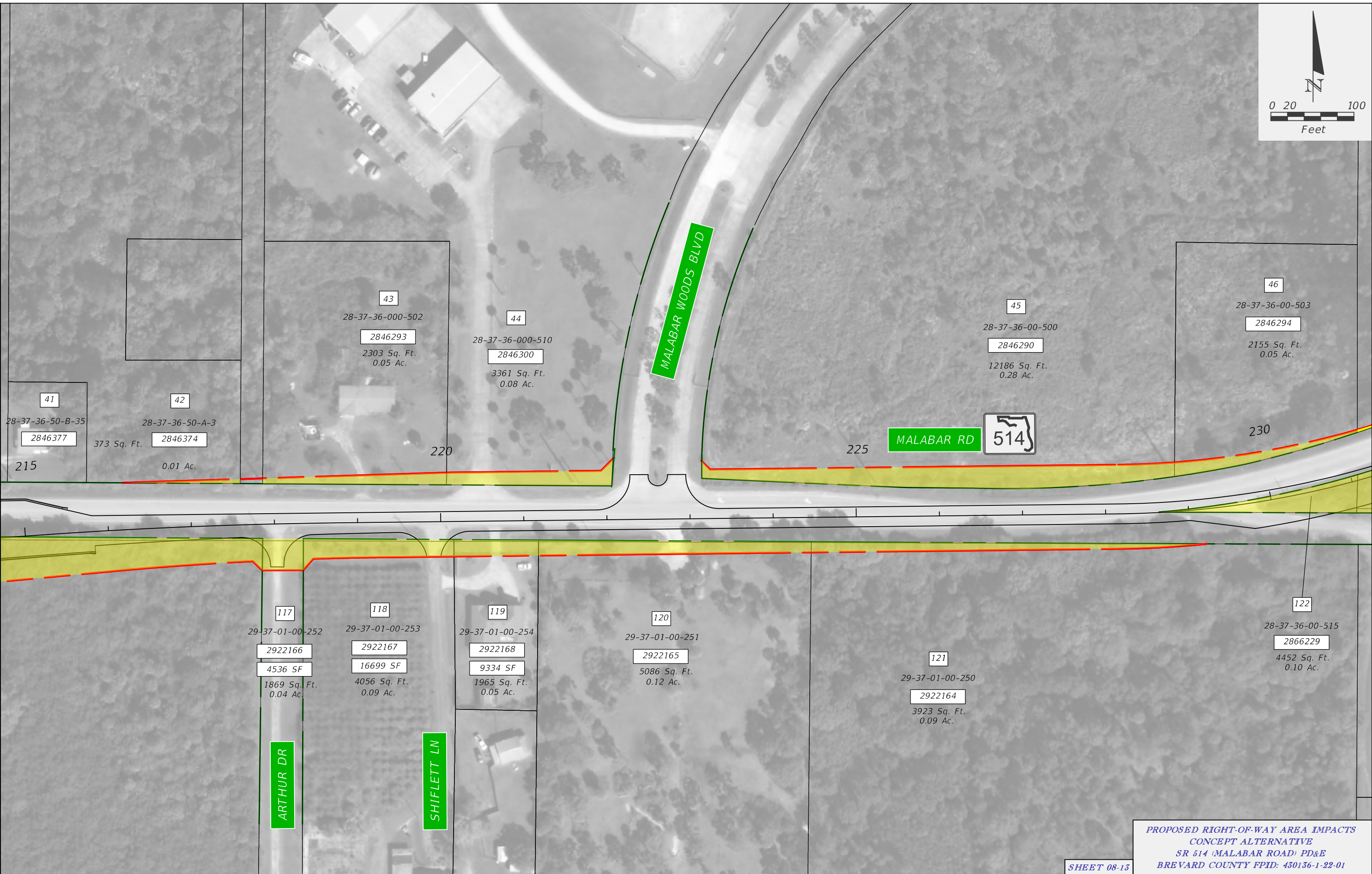
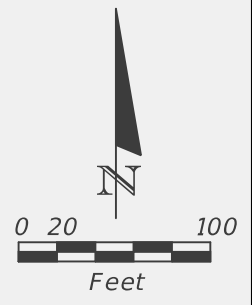
115B
29-37-01-00-256
2922170
11446 Sq. Ft.
0.26 Ac.

116
29-37-01-00-255
2922169
28791 Sq. Ft.
0.66 Ac.

POND L

113
29-37-02-00-38
2922438
55119 Sq. Ft.
1.27 Ac.

112A
29-37-02-00-36
2922436
61253 Sq. Ft.
1.41 Ac.



41
28-37-36-50-B-35
2846377
373 Sq. Ft.
0.01 Ac.

42
28-37-36-50-A-3
2846374
373 Sq. Ft.
0.01 Ac.

43
28-37-36-000-502
2846293
2303 Sq. Ft.
0.05 Ac.

44
28-37-36-000-510
2846300
3361 Sq. Ft.
0.08 Ac.

45
28-37-36-00-500
2846290
12186 Sq. Ft.
0.28 Ac.

46
28-37-36-00-503
2846294
2155 Sq. Ft.
0.05 Ac.

117
29-37-01-00-252
2922166
4536 SF
1869 Sq. Ft.
0.04 Ac.

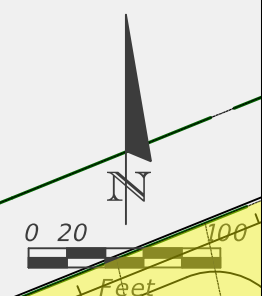
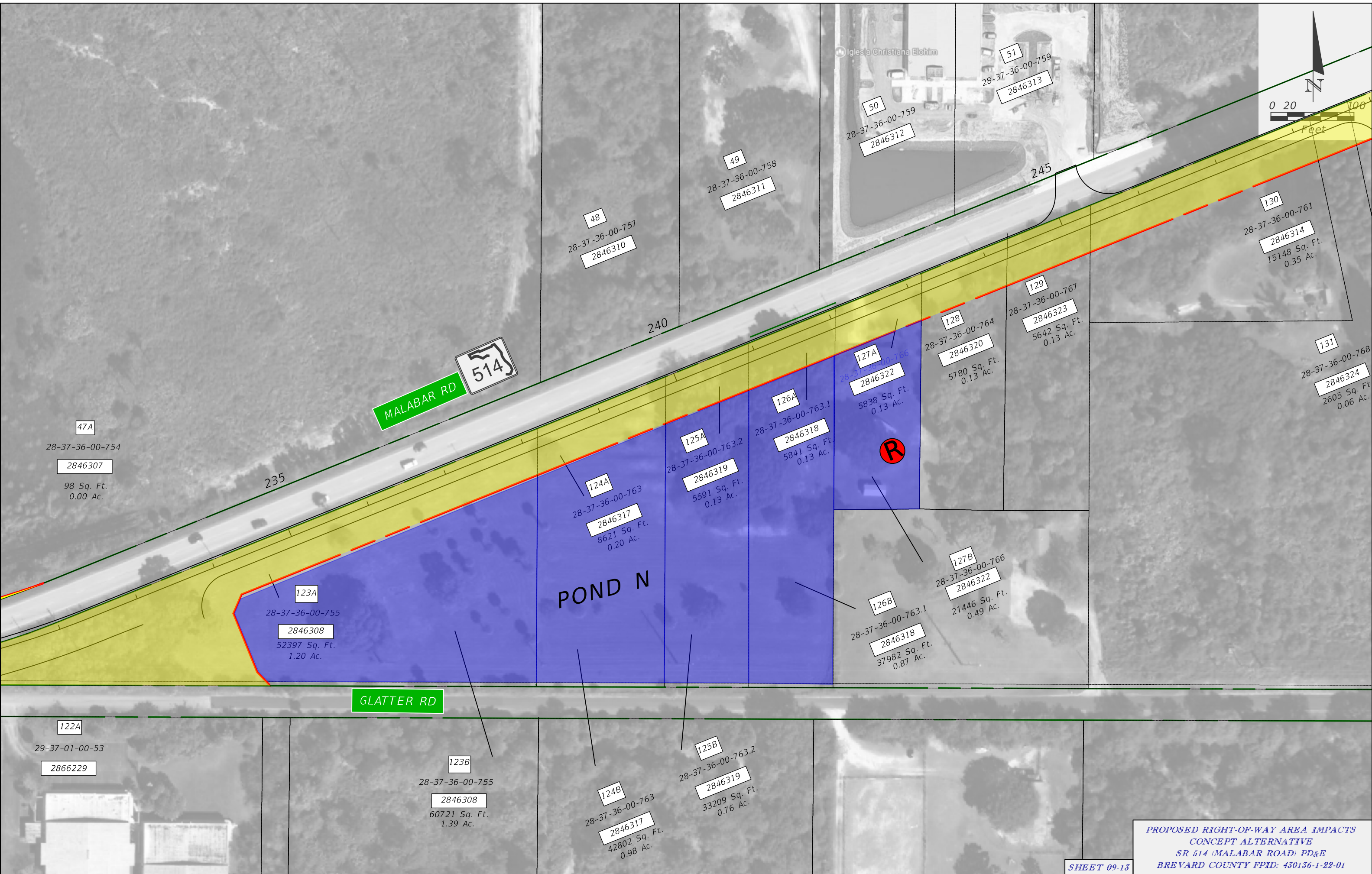
118
29-37-01-00-253
2922167
16699 SF
4056 Sq. Ft.
0.09 Ac.

119
29-37-01-00-254
2922168
9334 SF
1965 Sq. Ft.
0.05 Ac.

120
29-37-01-00-251
2922165
5086 Sq. Ft.
0.12 Ac.

121
29-37-01-00-250
2922164
3923 Sq. Ft.
0.09 Ac.

122
28-37-36-00-515
2866229
4452 Sq. Ft.
0.10 Ac.



MALABAR RD

GLATTER RD

POND N



47A
 28-37-36-00-754
 2846307
 98 Sq. Ft.
 0.00 Ac.

123A
 28-37-36-00-755
 2846308
 52397 Sq. Ft.
 1.20 Ac.

122A
 29-37-01-00-53
 2866229

123B
 28-37-36-00-755
 2846308
 60721 Sq. Ft.
 1.39 Ac.

48
 28-37-36-00-757
 2846310

124B
 28-37-36-00-763
 2846317
 42802 Sq. Ft.
 0.98 Ac.

124A
 28-37-36-00-763
 2846317
 8621 Sq. Ft.
 0.20 Ac.

125A
 28-37-36-00-763.2
 2846319
 5591 Sq. Ft.
 0.13 Ac.

125B
 28-37-36-00-763.2
 2846319
 33209 Sq. Ft.
 0.76 Ac.

49
 28-37-36-00-758
 2846311

126A
 28-37-36-00-763.1
 2846318
 5841 Sq. Ft.
 0.13 Ac.

126B
 28-37-36-00-763.1
 2846318
 37982 Sq. Ft.
 0.87 Ac.

127A
 2846322
 5838 Sq. Ft.
 0.13 Ac.

128
 28-37-36-00-764
 2846320
 5780 Sq. Ft.
 0.13 Ac.

127B
 28-37-36-00-766
 2846322
 21446 Sq. Ft.
 0.49 Ac.

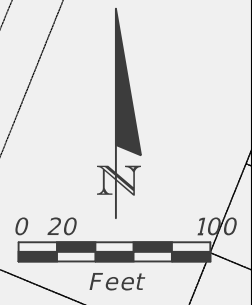
129
 28-37-36-00-767
 2846323
 5642 Sq. Ft.
 0.13 Ac.

50
 28-37-36-00-759
 2846312

51
 28-37-36-00-759
 2846313

130
 28-37-36-00-761
 2846314
 15148 Sq. Ft.
 0.35 Ac.

131
 28-37-36-00-768
 2846324
 2605 Sq. Ft.
 0.06 Ac.



MALABAR RD



MARIE ST

MARIE ST

47B

28-37-36-00-754
2846307
229 Sq. Ft.
0.01 Ac.

53

28-37-36-00-762
2846316
6243 Sq. Ft.
0.14 Ac.

54

28-38-31-54-5-52
2851173
1405 Sq. Ft.
0.03 Ac.

55

28-38-31-54-5-50
2851172
1527 Sq. Ft.
0.04 Ac.

250

255

260

130

28-37-36-00-761
2846314
15148 Sq. Ft.
0.35 Ac.

132

INDOOR RV &
BOAT STORAGE
28-37-36-00-769
2862244
30488 Sq. Ft.
0.70 Ac.

133

GOD'S HEALING
HOLINESS CHURCH
28-37-36-00-761.1
2846315
30027 Sq. Ft.
0.69 Ac.

134

28-38-31-54-B-1
2851067
4769 Sq. Ft.
0.11 Ac.

135

28-38-31-54-B-1.01
2851068
2086 Sq. Ft.
0.05 Ac.

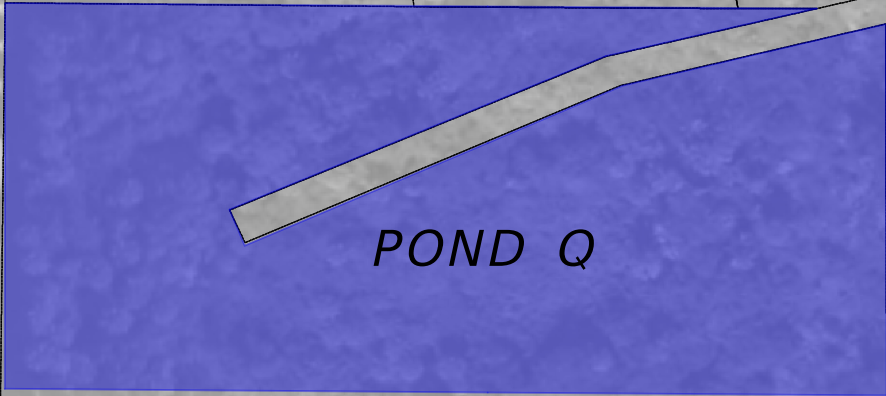
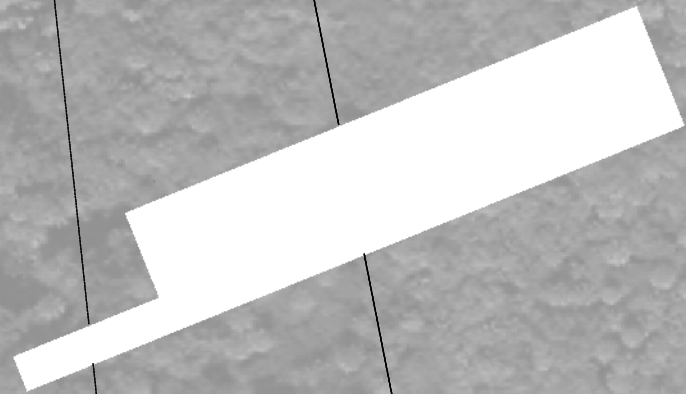
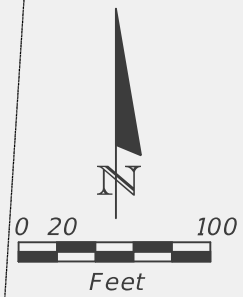
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28-37-36-00-768
2846324
2605 Sq. Ft.
0.06 Ac.

PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01

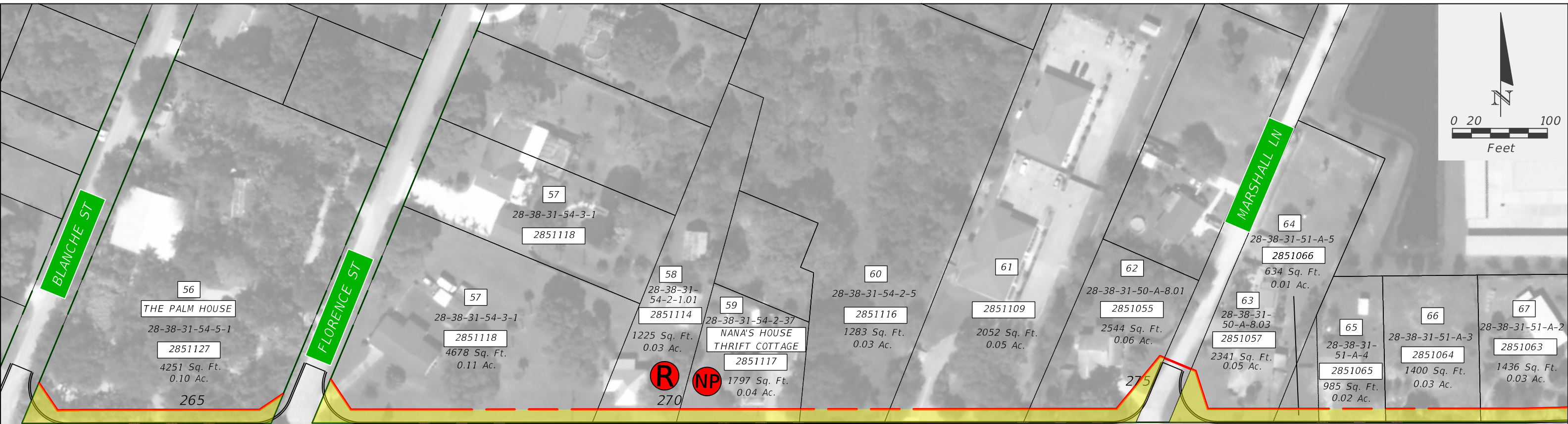
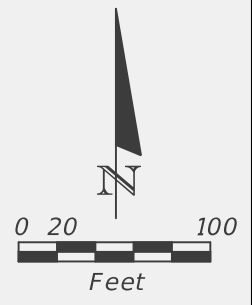
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MARIE ST

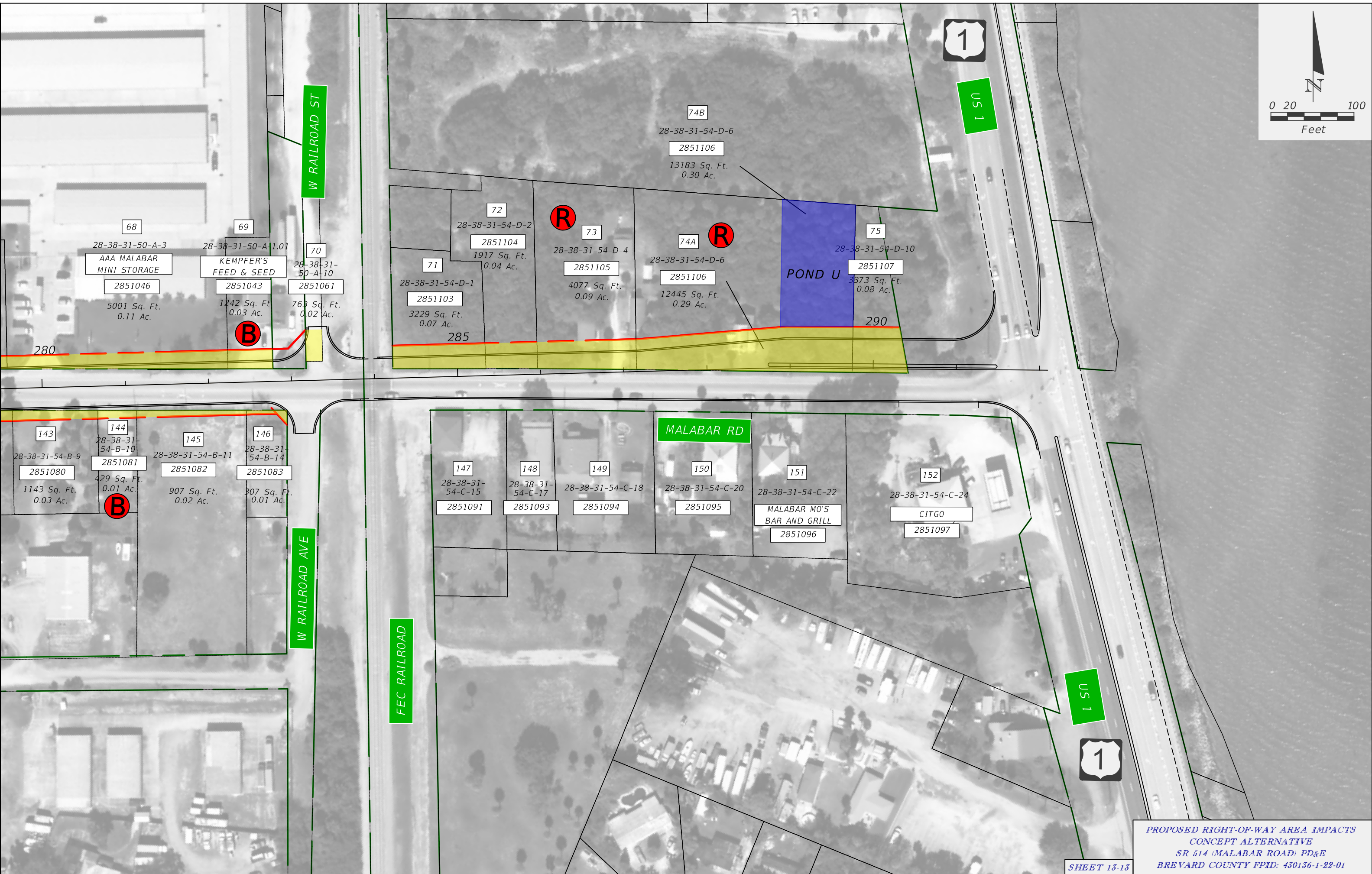
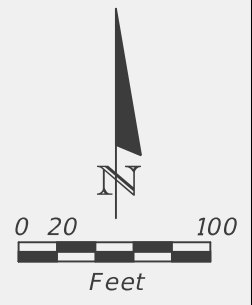


POND Q

133A
28-38-31-00-500
2850963
86164 Sq. Ft.
1.98 Ac.



PROPOSED RIGHT-OF-WAY AREA IMPACTS
CONCEPT ALTERNATIVE
SR 514 (MALABAR ROAD) PD&E
BREVARD COUNTY FPID: 430136-1-22-01



68
28-38-31-50-A-3
AAA MALABAR
MINI STORAGE
2851046
5001 Sq. Ft.
0.11 Ac.

69
28-38-31-50-A-1.01
KEMPFER'S
FEED & SEED
2851043
1242 Sq. Ft.
0.03 Ac.

70
28-38-31-50-A-10
2851061
763 Sq. Ft.
0.02 Ac.

71
28-38-31-54-D-1
2851103
3229 Sq. Ft.
0.07 Ac.

72
28-38-31-54-D-2
2851104
1917 Sq. Ft.
0.04 Ac.

73
28-38-31-54-D-4
2851105
4077 Sq. Ft.
0.09 Ac.

74A
28-38-31-54-D-6
2851106
12445 Sq. Ft.
0.29 Ac.

74B
28-38-31-54-D-6
2851106
13183 Sq. Ft.
0.30 Ac.

75
28-38-31-54-D-10
2851107
3373 Sq. Ft.
0.08 Ac.

143
28-38-31-54-B-9
2851080
1143 Sq. Ft.
0.03 Ac.

144
28-38-31-54-B-10
2851081
429 Sq. Ft.
0.01 Ac.

145
28-38-31-54-B-11
2851082
907 Sq. Ft.
0.02 Ac.

146
28-38-31-54-B-14
2851083
307 Sq. Ft.
0.01 Ac.

147
28-38-31-54-C-15
2851091

148
28-38-31-54-C-17
2851093

149
28-38-31-54-C-18
2851094

150
28-38-31-54-C-20
2851095

151
28-38-31-54-C-22
MALABAR MO'S
BAR AND GRILL
2851096

152
28-38-31-54-C-24
CITGO
2851097

APPENDIX B

***FDOT'S RELOCATION ASSISTANCE AND RIGHT-OF-WAY
ACQUISITION PROGRAM BROCHURES***



RESIDENTIAL RELOCATION

UNDER THE FLORIDA RELOCATION ASSISTANCE PROGRAM



FLORIDA DEPARTMENT OF TRANSPORTATION
AUGUST 1, 2015

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The Florida Department of Transportation Relocation Assistance Program

The Uniform Relocation Assistance and Real Property Acquisition
Policies

Act of 1970, Public Law 91-646, as amended, for Federal and Federally
Assisted Programs, 23 CFR and 49 CFR, Part 24.

Sections 334.048, 339.09 and 421.55, Florida Statutes

Rule 14-66, Florida Administrative Code

Due to Florida's rapid growth, a modern transportation system is necessary to ensure safe travel. Sometimes a small portion of the state's population is required to move because of these much needed transportation projects.

The Florida Department of Transportation wants to ensure that people receive fair treatment when they are required to move from their homes to accommodate a transportation facility. No person living in Florida is expected to bear an unequal share of the burden for a transportation project designed for the good of everyone.

The Department

“Department” as used in this brochure refers to the Department of Transportation.

Are you a Displaced Person? (Displacee)

A person who has received written notification from the Department informing them they must move from the real property being acquired by the Department is referred to as a “displaced person” or “displacee” and may be eligible for relocation assistance benefits.

Except, in accordance with Public law 105-117, enacted on November 2, 1997, any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such eligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in 49 CFR Part 24.208(h).

A Relocation Agent Will Contact You

In the early stages of a project, activities such as the Department’s public meetings or surveyors working in the area may cause speculation, rumors and anxiety about where the transportation facility will be located and who will be affected by it. These activities may take place long before the department even starts acquiring necessary right of way for the project. If you are displaced, an agent representing the Department will meet with you personally to fully explain the relocation program well before you are required to move. The agent will work with and advise you throughout the entire relocation process. You are encouraged to work closely with your relocation agent to ensure maximum receipt of all relocation entitlements.

Advance Notice

All displaced persons will receive at least ninety (90) days advance written notice before being required to move.

Your Relocation is an Entitlement Program

Relocation Assistance is an entitlement program designed to assist persons who are displaced from their homes by a transportation project. Provisions of the program include making comparable replacement housing affordable and reimbursing moving expenses. Your eligibility to receive a replacement housing payment or be reimbursed for your moving expenses is determined by each displacee's need in accordance with the specific State and Federal guidelines. Your relocation benefit is non-negotiable and does not allow a payment for representation by a third party.

Relocation Payments Do Not Affect Other Benefits

If you are presently eligible for social security, welfare, or other certain types of assistance, your relocation payment will not affect those benefits. Also, payments received under the relocation assistance program are not considered as income under the Internal Revenue Code.

Fair Housing

The Department enforces Title VIII of the Civil Rights Act of 1968, and amendments, making discriminatory practices in the purchase and rental of housing illegal if based on race, religion, sex, or national origin.

Special Needs Assistance

If you require special assistance, your relocation agent will make every effort to guide you in securing the services of other organizations, such as the Departments of Children and Family Services, Elder Affairs, Community Affairs, local charitable organizations, housing or loan programs, etc., which are professionally equipped to help you.

Decent, Safe and Sanitary Housing (DS&S Housing)

Before you enter into a contract for purchase or lease of a replacement dwelling, you must request the relocation agent to perform an inspection to determine that the property meets the DS&S requirements. Failure to do so may put your benefits at risk.

A Decent, Safe and Sanitary residence includes the following:

- Adequate space large enough to accommodate the people living with you.
- An adequate and safe electrical system.
- Adequate heating system (capable of sustaining a temperature of approximately 70 degrees)
- A safe, drinkable water supply, with hot and cold water.
- Proper connections to water supply and septic system.
- Stove and refrigerator space and service connections.
- Adequate lighting.
- Safe unobstructed doorways.
- Structure should be properly ventilated and structurally sound.
- Bathtub or shower and a private toilet.

Eligibility Requirements For A Replacement Housing Payment

A Replacement Housing Payment assists displaced persons in obtaining an affordable replacement residence comparable to the housing you are required to move from (displacement residence). It may be in the form of what is called a purchase additive or a rent supplement.

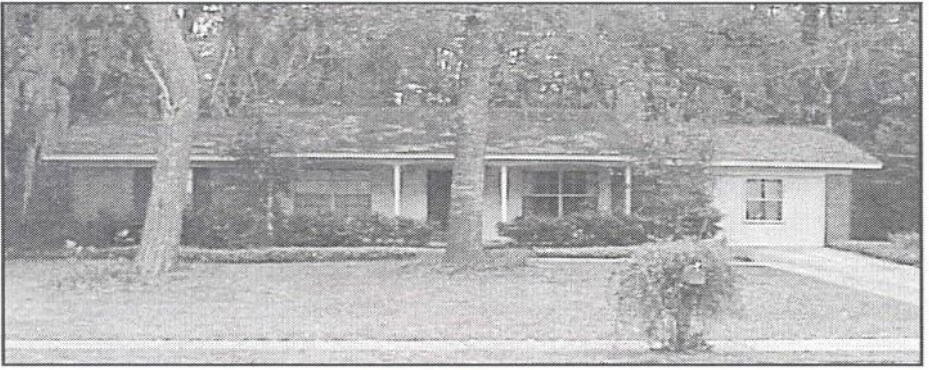
Your length of occupancy, in your current residence (dwelling) determines your eligibility type for a replacement housing payment. The determination is based on the number of days you have occupied the displacement residence prior to the Department presenting its initial offer to purchase. You must also rent or purchase and occupy a replacement dwelling within a twelve month period from specific dates to receive a replacement housing assistance payment. Your agent will determine and explain your qualification.

You are a 90-Day Owner Occupant if you have owned and lived in your dwelling continuously, as your domicile, for at least 90 days (approximately 3 months) before the Department makes its first written offer to acquire your real property. You must also live there on the day the Department makes its first offer to acquire the real property.

You are a 90-Day Occupant if you are a tenant (renter) who has lived in your dwelling continuously, as your domicile, for at least 90 days before the Department makes its first offer to buy the property from the owner. You must also live there on the day the Department makes its first offer to acquire the real property.

Comparable Replacement Housing

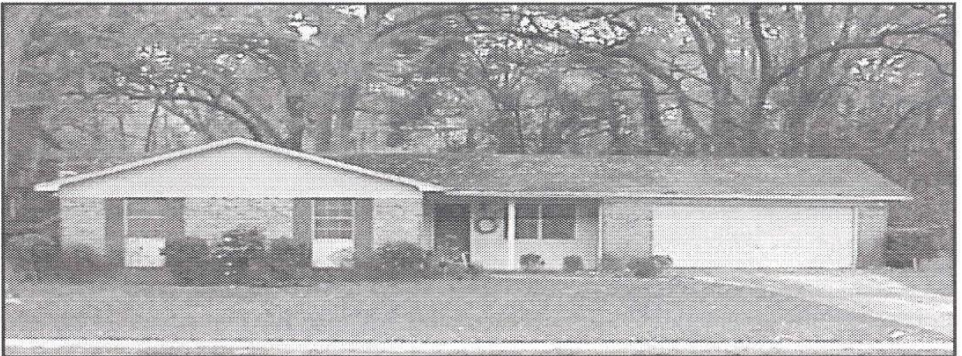
If you are displaced from your residence, the Department must offer comparable replacement housing to you.



SUBJECT DWELLING

A comparable dwelling will have approximately the same amount of living space, the same number of rooms, and be located in a similar neighborhood, if possible.

For Example: If you are presently living in a dwelling that has three bedrooms, two baths, a living room, dining room and a kitchen, with 1200 square feet, a comparable dwelling would have approximately the same number of square feet, and similar rooms.



**REPLACEMENT
DWELLING**

Purchase Additive

Who may qualify? Persons who have owned and occupied the displaced dwelling as their permanent place of residence for a period of at least 90 days prior to the Department making its initial offer to purchase.

Its purpose: The purchase additive assists with the purchase of a replacement dwelling when the current price of an available comparable replacement dwelling (as determined by the Department) is greater than the acquisition amount paid for the purchase of the displacement dwelling. A purchase additive is intended to put people back into a dwelling comparable to the one from which a person is being displaced. Displaced persons have the option to purchase any dwelling they choose as long as it meets decent, safe and sanitary requirements. However, the Department must limit the purchase additive amount to the difference between what the Department paid for your present dwelling and the value of a dwelling the Department selects as most comparable.

Example # 1

The Department locates a house comparable to the one you are presently living in costing \$205,000. The purchase additive is calculated by subtracting the amount the Department pays for your present house; say \$180,000, from the price of the comparable house.

\$205,000	Cost of a comparable replacement property
<u>\$180,000</u>	Less the price Department pays for your present property
\$ 25,000	Maximum purchase additive you are eligible to receive

If you purchase a house costing at least \$205,000 and the Department pays \$180,000 for your present house, you will receive a \$25,000 purchase additive.

What if I buy a more expensive dwelling than the Department's selected comparable dwelling?

The amount of the purchase additive will not change if you purchase a more expensive dwelling.

Example # 2

If you buy a \$215,000 house, instead of the \$205,000 comparable, costing an additional \$10,000, you will be responsible for the additional costs. You will still receive the amount calculated between your present property and the \$205,000 comparable property selected by the Department.

\$215,000	The price of a replacement house you choose
<u>\$205,000</u>	Cost of a comparable house
\$ 10,000	Additional cost displacee must pay

The purchase additive based on the number one comparable does not change.

(Using example # 1, the \$25,000 purchase additive would not change).

What if I buy a dwelling that costs less than the Department's selected comparable?

You will receive a purchase additive calculated on the actual price you pay for the replacement dwelling, less the amount paid for your present dwelling.

Example # 3

If you buy a replacement house for \$188,000, after deducting the \$180,000 the Department pays for your present house, your purchase additive will be \$8,000.

\$188,000	Purchase price for your actual replacement house
<u>\$180,000</u>	Less the amount the Department paid for your present house
\$ 8,000	Purchase additive you are eligible to receive

What happens if the amount of the Department's initial offer for the displaced persons present property increases during a negotiated or legal settlement?

The amount of the purchase additive must be adjusted accordingly.

Example # 4

If the Department pays you \$191,000 for your property, instead of the initial offer of \$180,000 the purchase additive must be adjusted.

\$205,000	Price for the comparable replacement property
<u>\$191,000</u>	Actual price the Department paid for your present property
\$ 14,000	Adjusted purchase additive eligibility

The purchase additive, as calculated in the first example with the department paying \$180,000 for your present property, will be reduced from a \$25,000 purchase additive to a \$14,000 purchase additive.

What if I have to obtain a new mortgage and current interest rates are higher?

If a mortgage existed on the home being acquired by the Department for at least 180 days prior to the initial offer to purchase being made, the Department will calculate a mortgage interest differential payment. The payment will be based on the lower balance between the old and new mortgage for the lesser remaining term of the old or new mortgage. The payment amount may be used as a new mortgage buy down to keep the monthly payment for principal and interest constant for the term of the new mortgage.

The Department will also reimburse necessary and reasonable closing costs actually incurred in the purchase of a replacement dwelling. These may include expenses customarily paid by a buyer such as preparing a deed, obtaining a mortgage, title insurance, survey, credit report, appraisal, termite inspection, origination fee, documentary stamps not exceeding the cost of the comparable, and an inspection for structural soundness. Closing costs are limited to the lower value of the comparable replacement dwelling selected by the Department or the replacement dwelling actually purchased.

RENT SUPPLEMENT

Who may qualify? Owners and tenants who occupy the acquired dwelling as their permanent place of residence prior to the Department presenting its initial offer to purchase.

Its purpose: To assist displaced persons in relocating to an affordable replacement dwelling comparable to their present dwelling.

A rent supplement is reflective of difference in amounts being paid for rent and average monthly utility costs at the current dwelling compared to the cost of a similar rental dwelling including estimated monthly utility costs and then multiplied over a period of time.

The base monthly rental amount used for the displacement dwelling will be calculated by the following methods and which ever one is less will be used. Using the lesser amount provides the greatest benefit to you.

1.) The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period of time prior to displacement. A fair market rent determination will need to be established by a qualified appraiser for displaced persons who are owner/occupants of the displacement dwelling. For a tenant who paid little or no rent for the displacement dwelling, a fair market rent determination will also be established, unless its use would result in a hardship because of the persons income or other circumstances;

OR

2.) Thirty (30) percent of the displaced person's/families gross monthly household income if the amount is classified as "low income" by the U.S. Department of Housing and Urban Development's Annual Survey of income limits for Public Housing and Section 8 Programs. (The base monthly rental shall be established solely on the criteria in paragraph 1 above, for persons with income exceeding the survey's low income limits, for persons refusing to provide appropriate evidence of income, or persons who are dependents);

OR

3.) The total of the amounts designated for shelter and utilities if the displaced person is receiving a welfare assistance payment from a program that designates the amounts for shelter and utilities.

How is rent supplement calculated?

Say your present rent is \$950.00 and your utility bill averages \$150.00 a month for a total rental payment of \$1100.00. The Department has determined that a decent, safe and sanitary replacement rental, comparable to your present rental, is available for \$1,025.00 a month plus \$150 a month for utilities, a total of \$1,175.00. Say your total Annual Household Income is \$41,000 which is below the HUD Low Income Survey for your area (\$47,250), and 30% of your household monthly income would be \$1,025.00. Therefore the calculation would be:

Example #5 (Using displacee's low income)

Comparable rent and utilities **\$1,175.00**

MINUS

Base Monthly Rental

Theleserof:

- 30% of Household Income if classified as Low Income per HUD Annual Income Survey (\$47,250.00)
Displacee's Annual Household Income = \$41,000.00
\$41,000/12 mo. X 30% =..... **\$1,025.00**

OR

- Monthly Rental of Acquired Dwelling (incl utilities)..... **\$1,100.00**

Equals Rent Differential\$150.00
Multiplied by 42 months X42
Total rent supplement..... \$6,300.00

OR

Example #6 (Using fair market rent)

Comparable rent and utilities **\$1,250.00**

MINUS

Base Monthly Rental

Thelesserof:

-Displacee's Annual Household Income \$52,000.00

-30% of Household Monthly Income (52,000/12 mo. x 30%) **\$1,300.00**

-Low Income per HUD Annual Income Survey \$47,250.00

OR

Monthly Rental of Acquired Dwelling (inc.Utilities)..... **\$1,100.00**

Equals Rent Differential \$150.00

Multiplied by 42 months X42

Maximum Payment **\$6,300.00**

What if I decide to rent something more expensive than the comparable?

If you rent a dwelling costing more than the comparable replacement dwelling offered by the Department, you must pay the additional rent and utilities.

The purpose of a rent supplement is to place you back into a replacement dwelling comparable to your present dwelling. Therefore, a replacement dwelling that **exceeds** the cost of a comparable decent, safe and sanitary, cannot be part of the supplement.

Let's say the displaced person actually rents a decent, safe and sanitary replacement dwelling costing \$1,350/mo. for rent and utilities. Instead of the \$150/mo. rent differential shown in example #5, the monthly differential would change to \$325/mo. The displacee would be responsible for an additional \$175/mo. totaling \$7,350 over the 42 month eligibility period.

What if I rent a dwelling that costs less than the comparable dwelling?

You will receive a rent supplement based on the actual difference between the base monthly rent and average utilities established for the displacement dwelling and the actual replacement dwelling occupied.

Example #7

#1 Comparable rent and utilities	\$1,300.00
Your replacement dwelling/utilities total.....	\$1,275.00
Your present rent/utilities are.....	\$ 1,250.00
The monthly rent supplement is.....	\$25.00
Times 42 months.....	X 42
Total rent supplement.....	\$1,050.00

DOWN PAYMENT SUPPLEMENT

Who may Qualify? Tenant and Owner's who have been in occupancy of the displacement dwelling, prior to the Department presenting its initial offer to purchase the property, and who are determined eligible for a rental assistance payment. **Except**; an owner who has occupied the displacement dwelling for 90 days or more prior to the Department presenting its purchase offer is ineligible for this type payment.

It's Purpose: A rent supplement may be converted to a down payment to enable a displacee to purchase a replacement dwelling as a method of promoting home ownership.

If the calculated rent supplement is less than \$7,200 the Department has discretion to increase the amount up to \$7,200 as long as the entire amount is used for the down payment and incidental expenses associated with the purchase of a replacement dwelling.

For example, your rent supplement eligibility is \$6,000, and you find a house you would like to purchase for \$100,000.

If you purchase the \$100,000 house, a ten percent (10%) down payment would be \$10,000. In this example your \$6,000 rent supplement may be increased to \$7,200 as long as you apply the entire \$7,200 payment toward the purchase price.

You will be responsible for all expenses over the \$7,200, and must be able to qualify for a mortgage, if necessary. (This means you must show the lending company you have sufficient income to pay your monthly payment for principal, interest, taxes and insurance according to good lending practices).

Before entering into any purchase agreement or contract to purchase a house, mobile home, or lot you are planning to use relocation funds to purchase, you must contact and discuss the planned purchase with your Relocation Agent. The agent must inspect and certify that the property meets Decent, Safe, and Sanitary requirements and ensure the relocation funds are properly allocated.

You must also provide the Department with a copy of the executed purchase contract and closing statement showing the purchase price and incidental closing costs.

MOVING COST REIMBURSEMENT

The Department will reimburse the actual, reasonable and necessary costs incurred to move persons or personal property from property acquired by the Florida Department of Transportation.



With the Department's prior approval, you may receive payment for other related costs, such as transportation to the new location, moving insurance, and storage of personal property.

Displaced persons may choose to utilize a "Commercial Mover" or perform one of two available "Self Move" options. Regardless of which option you choose, be sure to discuss with your relocation agent.

COMMERCIAL MOVER

You may hire a commercial moving company to handle the entire move.

An inventory of all personal property must be taken before the move begins (pre-inventory) and after the move is complete (post-inventory). You must sign the inventory certifying that it is true and correct. Move estimates must be obtained. Based on the complexity of a move the Department will require one or two estimates. In cases where two estimates are obtained, reimbursement will be limited to the amount of the lower one. You may choose a mover other than the one with the lower estimate, but the Department's reimbursement payment will be based on the lower estimate.

Other related costs incurred during your move that were not considered within the estimate may be reimbursed if approved by the Department. You must show proof of these costs by saving all receipts and other documentation to submit when you file a claim with the Department. Also, in this brochure, there is a listing of eligible and ineligible moving expenses for your review. If needed, your agent can explain these to you.

SELF MOVE (FIXED MOVE COST SCHEDULE)

The schedule is a pre-calculated moving expense determination, developed by the Federal Highway Administration, based on the number of rooms of personal property that must be moved. The Department may allow an increase in a room count when a room contains sufficient items to constitute an additional room. A room is defined as a fully enclosed

section (other than a closet or bathroom) on the inside of a structure which is accessible through a doorway. A room can also be an area that is not fully enclosed but being used as a separate and distinct function. For example, in a “great room” that contains a living area and a dining area, each may be counted as a separate room even though no walls separate them.

The reimbursement amount will be based on the number of rooms in your current dwelling.

If you choose the fixed payment you will not be required to prepare inventories, obtain move cost estimates, or provide documentation of expenditures, unless a modification to the room count has been made. Other related costs, such as storage, transportation to the new site, insurance, etc., are not eligible under the fixed payment schedule.

FIXED PAYMENT ALLOWANCE SCHEDULE

If you own the furnishings:

<u>NumberofRooms</u>	<u>AmountofFixedPayment</u>
1.....	\$ 750.00
2.....	\$ 900.00
3.....	\$ 1075.00
4.....	\$1,250.00
5	\$1,400.00
6.....	\$1,550.00
7.....	\$1,600.00
8.....	\$1,850.00
Each Additional Room.....	\$ 300.00

If you do *not* own the furnishings:

<u>NumberofRooms</u>	<u>AmountofFixedPayment</u>
First room.....	\$ 500.00
Each additional room.....	\$ 150.00

OR

SELF MOVE (DOCUMENTING EXPENSES)

You may conduct a move yourself, keeping all receipts, invoices, truck rental expenses, etc., as documentation to file a claim for reimbursement of the actual expenses incurred. If a reimbursement claim is determined to be unreasonable the Department may obtain estimates, based on a pre-move inventory, from licensed qualified movers. The payment for the self-move will be the lesser of the move cost estimate or the documented actual expenses incurred.

Pre-move and post move inventories must be taken and signed by you and the relocation agent.

Note: If the occupants of the residence are not displaced, but there is personal property in the area being acquired that must be moved, the move cost may be reimbursed based only on self documented expenses or either a commercial or Department estimate.

REIMBURSABLE MOVING COSTS

The following move expenses may be reimbursable if they are the actual, reasonable, and necessary moving costs incurred when using a commercial moving company, or performing a self-move based on the actual, documented expenses:

1. Transporting residential displacees to the replacement site, including special transport such as ambulances, based upon actual, reasonable fees charged for such commercial transport;
2. Transporting personal property for a distance of no more than 50 miles; (in special circumstances, the district may approve a move of more than 50 miles)

3. Packing, crating, unpacking, and uncrating of the personal property;
4. Disconnecting, dismantling, removing, reassembling, and reinstalling household appliances and other personal property;
5. Storage of personal property for up to twelve (12) months at the Department's discretion, if immediate occupancy of the replacement site is not possible through no fault of the displaced owner or tenant;
6. Insurance for the replacement value of the property in connection with the move;
7. Replacement value of property that is lost, stolen or damaged in the move through no fault of the owner's when insurance coverage is not available;
8. Actual, reasonable costs of meals and lodging when determined necessary by the Department. For example, when immediate occupancy of the replacement dwelling is not possible;
9. Actual, reasonable costs for reinstallation of a fixture which exists as an integral part of a personal property item, but only if treated in the appraisal as a fixture. For example, wiring for a security system;
10. Other moving related expenses as determined by the Department.

NON-REIMBURSABLE MOVING COSTS

1. Cost of moving structures, improvements, or other real property purchased by the Department, but retained by the displaced person;
2. Interest on loans to cover moving expenses;
3. Personal injury;

4. Any legal fee or other cost for preparing a claim for a relocation payment or for legal representation during a relocation appeal;
5. Expenses for searching for a replacement dwelling;
6. Costs of storage of personal property on real property already owned or leased by the displaced person.
7. Refundable utility and security deposits.

The agent will assist you with additional information, provide advisory services and provide the necessary forms and assistance for you to file a claim. If you are an owner you are allowed up to 18 months from the date that you move or 18 months from the date of the final acquisition payment, to file your claim for moving expenses. However, you are encouraged to submit your claim as soon as possible.

APPEAL RIGHTS

If you do not agree with the eligibility determination or amount of payment that the District Relocation Administrator has determined you are eligible to receive, you may file an appeal.

You must file a written appeal no later than sixty (60) days from the date you receive the written notification your claim has been denied by the District Relocation Administrator. Ask the agent for the appeal form #575-040-25. The appeal should be addressed to:

Florida Department of Transportation
State Relocation Administrator
605 Suwannee Street, Mail Station 22,
Tallahassee, Florida, 32399-0450

If the State Relocation Administrator denies your claim, they will advise you of your right to appeal that decision under Section 120.57, Florida Statutes, to the Clerk of Agency Proceedings. This will result in an administrative hearing or informal proceeding before an impartial hearing officer.



Your Relocation Agent is: _____

Agent's Telephone No.: _____

Address of Florida Department of Transportation District Office:

Name and Phone # of the Florida Department of Transportation District
Relocation Administrator:

Please refer to the following numbers when calling the Department to discuss your
relocation.

W.P.I./Segment No.: _____

Managing District: _____

F.A.P. No.: _____

State Road No.: _____

County: _____

Parcel/Relo. No.: _____

On some projects the Department may contract with a company qualified to represent the
Department and who will assist you in your relocation. On such projects the Company's
name will appear below. Even if your project is under such a contract, you may still
contact the Department of Transportation at the above address and telephone number if
you feel it is necessary.

Name of the Company representing the Department of Transportation

Address of Company

Telephone Number

Notes



REUBICACIÓN RESIDENCIAL

SEGÚN EL PROGRAMA DE ASISTENCIA PARA LA REUBICACIÓN



DEPARTAMENTO DE TRANSPORTE DE FLORIDA
01 DE AGOSTO 2015

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Programa de Asistencia para la Reubicación del Departamento de Transporte de Florida

Ley de 1970 sobre políticas de asistencia para la reubicación
uniforme y adquisición de inmuebles

Derecho Público 91-646, según enmienda, para programas
federales y de asistencia federal, reglamento 23 CFR y 49 CFR, Sección
24. Secciones 334.048, 339.09 y 421.55, Norma de Estatutos de Florida
14-66, Código Administrativo de Florida

Debido al rápido crecimiento de Florida, se hace necesario un sistema de transporte moderno que garantice recorridos seguros. Estos proyectos de transporte tan necesarios a veces requieren la reubicación de una porción pequeña de la población.

El Departamento de Transporte de Florida desea garantizar que las personas reciban un trato justo cuando se les exige mudarse de su hogar para permitir la construcción de vías de transporte. Ningún residente de Florida debe recibir una porción desigual de la carga por un proyecto de transporte diseñado para el bienestar de todos.

El Departamento

En este folleto, el término “Departamento” se refiere al Departamento de Transporte

¿Es usted un desplazado? (Desalojado)

Toda persona que reciba notificación por escrito del Departamento en la que se le informe que tiene que mudarse del inmueble que el Departamento va a adquirir se denomina “desplazado” o “desalojado” y puede ser elegible para recibir beneficios de asistencia de reubicación.

Excepto, según el Derecho Público 105-117, promulgado el 2 de noviembre de 1997, toda persona extranjera con permanencia ilegal en los Estados Unidos no tiene derecho a los servicios de asesoramiento para la reubicación ni a los pagos compensatorios por reubicación, a menos que la carencia de tal elegibilidad resultase en penurias excepcionales y poco comunes para un cónyuge, padre o hijo que sí califique, tal como se define en el reglamento 49 CFR Parte 24.208(h).

Un agente de reubicación le contactará

En las etapas iniciales de un proyecto, ciertas actividades en el área, tales como reuniones públicas del Departamento de Transporte o trabajos de topografía, pueden provocar especulación, rumores y ansiedad acerca de la ubicación de las nuevas vías de transporte y a quiénes afectarán. Estas actividades pueden ocurrir mucho antes de que el Departamento siquiera comience a adquirir el derecho de vía necesario para el proyecto. Si usted es un desplazado, un agente que representa al Departamento se reunirá con usted personalmente para explicarle con todo detalle el programa de reubicación. El agente trabajará con usted y le orientará durante todo el proceso de reubicación. Se le recomienda que trabaje estrechamente con su agente para asegurarse de recibir el máximo de todos los beneficios de reubicación que le corresponden.

Notificación anticipada

Todos los desplazados recibirán una notificación por escrito por lo menos noventa (90) días antes de la fecha en que se requiere el desalojo.

El programa de reubicación es su derecho

El programa de asistencia para la reubicación es un derecho diseñando para ayudar a las personas desplazadas de sus hogares por un proyecto de transporte.

Las disposiciones del programa abarcan la búsqueda de vivienda de reemplazo asequible y reembolso de los gastos de mudanza. La elegibilidad para recibir un pago para una vivienda de reemplazo o un reembolso de los gastos de mudanza está determinada por la necesidad particular de cada desplazado, de acuerdo con normas estatales y federales específicas. Su derecho de reubicación es un beneficio no negociable y no permite un pago a un tercero que lo represente.

Los pagos por reubicación no afectan otros derechos

Si usted es elegible actualmente para recibir asistencia por el seguro social, un fondo de bienestar social o algún otro tipo de asistencia, el pago por reubicación que usted reciba no afectará esos beneficios. Asimismo, los pagos recibidos por el programa de asistencia para la reubicación no son considerados como ingresos según el Código de Rentas Internas.

Vivienda justa

El Departamento cumple con el Título VIII de la ley de Derechos Civiles de 1968 y sus enmiendas, el cual establece como ilegal las prácticas discriminatorias en la compra y alquiler de viviendas, si las mismas se basan en raza, religión, sexo o nacionalidad de origen.

Asistencia para necesidades especiales

Si usted requiere asistencia especial, su agente de reubicación hará todo lo que esté a su alcance para orientarlo a fin de obtener los servicios de otras organizaciones, tales como los Departamentos de Servicios para Niños y Familias, para Personas Mayores, Asuntos Comunitarios, organizaciones benéficas locales, programas de préstamo y vivienda, etc., que están capacitados profesionalmente para ayudarle.

Vivienda decente, segura e higiénica (Vivienda DS&S)

Antes de firmar un contrato para la compra o alquiler de una nueva vivienda, usted debe pedirle al agente de reubicación que realice una inspección de la propiedad para determinar que cumpla con los requisitos para viviendas decentes, seguras e higiénicas (DS&S, por sus siglas en inglés). El incumplimiento de esta norma puede poner en peligro sus beneficios.

Una residencia decente, segura e higiénica tiene las siguientes características:

- Espacio adecuado suficiente para alojar a las personas que viven con usted.
- Sistema eléctrico adecuado y seguro.
- Sistema de calefacción adecuado (capaz de mantener una temperatura de aproximadamente 70 grados).
- Suministro de agua potable y segura, de agua fría y caliente.
- Conexiones apropiadas al suministro de agua y el sistema séptico.
- Espacio para estufa y refrigerador y las conexiones para los servicios.
- Iluminación adecuada.
- Puertas seguras y sin obstrucción.
- Estructura debidamente ventilada y estructuralmente segura.
- Bañera o ducha y un baño privado.

Requisitos de elegibilidad para el pago de vivienda de reemplazo

El pago de una vivienda de reemplazo permite que las personas desplazadas adquieran una residencia sustituta comparable a la vivienda en la que usted habita para el momento en que se le exige mudarse (inmueble desalojado). Puede ser en forma de lo que se llama un suplemento para compra o un suplemento para alquiler.

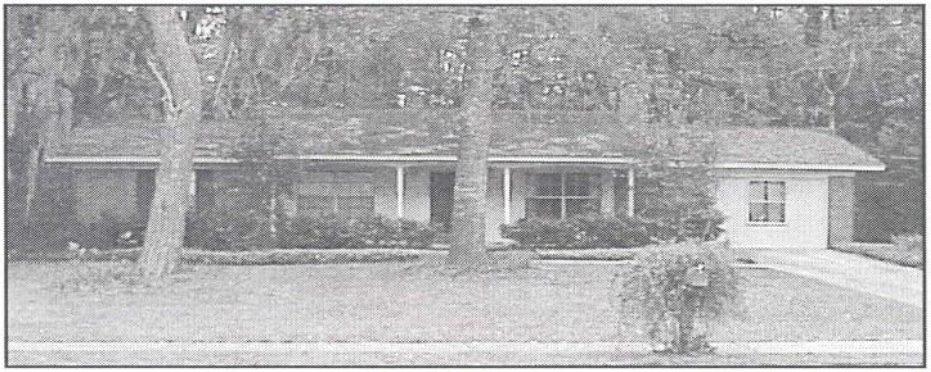
El tiempo que usted haya ocupado su residencia actual (domicilio) determina su elegibilidad para un pago de vivienda de reemplazo. La determinación se basa en el número de días que usted ha ocupado la residencia desalojada antes de que el Departamento presente su oferta inicial de compra. También tiene que alquilar o comprar una vivienda de reemplazo y ocuparla en un lapso de 12 meses a partir de fechas específicas a fin de recibir un pago de ayuda para vivienda de reemplazo. Su agente determinará y le explicará cómo califica usted.

Usted es un residente propietario con 90 días de ocupación si el inmueble ha estado en su propiedad y ha sido su domicilio continuamente durante por lo menos 90 días (aproximadamente 3 meses) antes de que el Departamento haga su primera oferta por escrito para adquirir el inmueble. Igualmente debe vivir en el inmueble para el día en que el Departamento haga su primera oferta para adquirir el inmueble.

Usted es un residente con 90 días de ocupación si usted es el arrendatario (inquilino) del inmueble y ha vivido en el mismo como su domicilio continuamente durante por lo menos 90 días antes de que el Departamento haga su primera oferta por escrito para adquirir el inmueble. Usted igualmente debe vivir en el inmueble para el día en que el Departamento haga su primera oferta para adquirir el inmueble.

Vivienda de reemplazo comparable

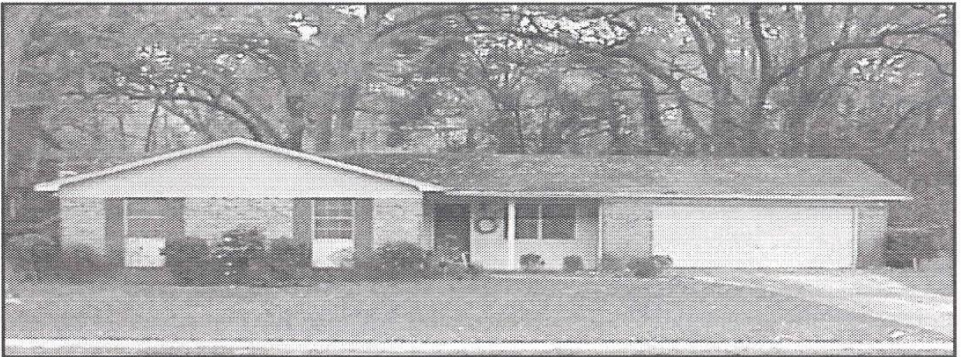
Si usted es desplazado de su residencia, el Departamento tiene que ofrecerle una vivienda de reemplazo comparable.



VIVENDA DESALOJADA

Una vivienda comparable tendrá aproximadamente la misma cantidad de espacio habitable, el mismo número de habitaciones y deberá estar ubicada en un vecindario similar.

Por ejemplo: Si actualmente usted habita una vivienda con tres dormitorios, dos baños, un salón, una sala comedor y una cocina, con 1200 pies cuadrados, una vivienda comparable tendrá aproximadamente la misma área en pies cuadrados, tres dormitorios, dos baños, un salón, una sala comedor, etc.



VIVIENDA DE REEMPLAZO

Suplemento para compra

¿Quiénes pueden obtener este beneficio? Las personas que han poseído y habitado la vivienda desalojada como su domicilio legal permanente durante 90 días como mínimo antes de que el Departamento haga su oferta inicial de compra.

Su propósito: El suplemento para compra permite la adquisición de una vivienda de reemplazo cuando el precio actual de una vivienda de reemplazo comparable que esté disponible (según lo determinado por el Departamento) es mayor que el monto de adquisición pagado por la compra del inmueble desalojado. Un suplemento para compra tiene por finalidad ubicar a las personas nuevamente en una vivienda comparable a aquella de donde fueron desplazadas. Las personas desplazadas tienen la opción de comprar cualquier vivienda que escojan siempre que cumpla con los requisitos de decencia, seguridad e higiene. No obstante, el Departamento debe limitar el monto del suplemento para compra a la diferencia entre lo que el Departamento pagó por su vivienda actual y el valor de un inmueble que el Departamento escoja como más comparable.

Ejemplo # 1

El Departamento encuentra una casa, comparable a la casa en que usted vive actualmente, que cuesta \$205,000. El suplemento para compra se calcula restándole el monto que paga el Departamento por su vivienda actual, digamos \$180,000, al precio de la casa comparable.

\$205,000	Costo del inmueble comparable de reemplazo
<u>\$180,000</u>	Menos el precio que el Departamento paga por su inmueble actual
\$25,000	Máximo suplemento para compra que usted tiene derecho a recibir

Si usted compra una casa que cuesta por lo menos \$205,000 y el Departamento paga \$180,000 por su inmueble actual, usted recibirá un suplemento para compra de \$25,000.

¿Qué pasa si compro una vivienda más costosa que la vivienda comparable que encuentre el Departamento?

El monto del suplemento para compra no cambiará si usted compra una vivienda más costosa.

Ejemplo # 2

Si usted compra una casa de \$215,000, en vez de los \$205,000 de la casa comparable, lo que implica una diferencia de \$10,000, usted será responsable por el costo adicional.

Usted todavía recibirá el monto calculado entre su inmueble actual y los \$205,000 del inmueble comparable seleccionado por el Departamento.

\$215,000	El precio de la casa de reemplazo que usted elija
<u>\$205,000</u>	Costo de la casa comparable
\$ 10,000	Costo adicional que debe pagar el desplazado

No varía el suplemento para compra basado en el inmueble comparable del ejemplo número uno.

(Según el ejemplo # 1, el monto de \$25,000 del suplemento para compra no cambiaría).

¿Qué pasa si compro una vivienda que cueste menos que la vivienda comparable que encuentre el Departamento?

Usted recibirá un suplemento para compra calculado según el precio real que usted pague por la vivienda de reemplazo, menos el monto pagado por su inmueble actual.

Ejemplo # 3

Si usted compra una casa de reemplazo de \$188,000, después de deducir los \$180,000 que paga el Departamento por su casa actual, el suplemento para compra que usted recibirá será de \$8,000.

\$188,000	Precio de compra de la casa de reemplazo real
<u>\$180,000</u>	Menos el monto que el Departamento pagó por su casa actual
\$8,000	Máximo suplemento para compra que usted tiene derecho a recibir

¿Qué sucede si el monto de la oferta inicial del Departamento por el inmueble actual de las personas desplazadas aumenta durante un acuerdo negociado o judicial?

El monto del suplemento para compra será ajustado como corresponda.

Ejemplo # 4

Si el Departamento le paga a usted \$191,000 por su inmueble, en vez de la oferta inicial de \$180,000, el suplemento para compra deberá ser ajustado.

\$205,000	Precio del inmueble comparable de reemplazo
<u>\$191,000</u>	Precio real que el Departamento pagó por su inmueble actual
\$ 14,000	Monto ajustado del suplemento para compra permitido

El suplemento para compra, tal como se calculó en el primer ejemplo en el que el Departamento pagaba \$180,000 por el inmueble desalojado, quedará reducido de \$25,000 a un suplemento para compra de \$14,000.

¿Qué pasa si yo obtengo una nueva hipoteca y las tasas de interés actuales son más altas?

Si existe una hipoteca sobre el inmueble que adquiere el Departamento durante por lo menos 180 días antes de que se haga la oferta inicial de compra, el Departamento calculará un pago diferencial de intereses hipotecarios. El pago se basará en el saldo más bajo entre la antigua hipoteca y la nueva para el período restante menor entre la antigua y la nueva hipoteca. El monto del pago puede usarse como pago hipotecario inicial para mantener constante el pago mensual de capital e intereses para el lapso de la nueva hipoteca.

El Departamento también le reembolsará los costos necesarios y razonables en que usted haya efectivamente incurrido con motivo de la compra de una vivienda de reemplazo. Estos costos incluyen los gastos usuales que hace el comprador, tales como la preparación de la escritura, obtención de una hipoteca, seguro del título, levantamiento topográfico, informes de crédito, avalúo, inspección de termitas, tarifa de tramitación, timbres para los documentos que no excedan el costo del inmueble comparable, y una inspección de la solidez estructural del inmueble. Los costos de cierre se limitan al valor más bajo de la vivienda de reemplazo comparable seleccionada por el Departamento o la vivienda de reemplazo efectivamente comprada.

SUPLEMENTO PARA ALQUILER

¿Quiénes pueden obtener este beneficio? Los propietarios y arrendatarios que ocupan la vivienda adquirida como su domicilio legal permanente antes de que el Departamento haga su oferta inicial de compra.

Su propósito: Ayudar a las personas desplazadas a reubicarse en una vivienda de reemplazo asequible comparable a su vivienda actual.

Un suplemento para alquiler refleja la diferencia en los montos que se pagan por el alquiler y el promedio de los costos mensuales de los servicios públicos en el inmueble actual, comparados con el costo de una vivienda de alquiler similar, incluidos los costos mensuales por servicios y luego multiplicado por un lapso de tiempo.

El monto de alquiler mensual de base que se usa para la vivienda desalojada se calculará mediante los siguientes métodos y se usará aquel que dé un resultado menor. Usar el monto menor es más ventajoso para usted.

1.) El costo mensual promedio de alquiler y servicios en la vivienda desalojada por un período razonable de tiempo antes del desalojo. Será necesario que un perito calificado establezca una determinación del alquiler justo de mercado para las personas desplazadas que posean/ocupen el inmueble desalojado. Para un arrendatario que pagó poco o nada de alquiler por la vivienda desalojada, igualmente se establecerá una determinación del alquiler justo de mercado, a menos que su uso resultara en penurias debido a los ingresos personales u otras circunstancias.

O

2.) Treinta (30) por ciento del ingreso mensual bruto del hogar de la persona/familia desplazada si el monto es clasificado como “ingresos bajos” por el Departamento de Vivienda y Desarrollo Urbano de EE.UU., en su Estudio Anual de Límites de Ingresos para las viviendas públicas y los programas de la Sección 8. (El alquiler mensual de base se deberá establecer solamente con los criterios indicados en el párrafo 1 de arriba, para personas con ingreso superior a los límites bajos del estudio, para las

personas que se niegan a suministrar constancia apropiada de ingresos o personas que son dependientes);

O

3.) El total de los montos destinados para refugio y servicios si la persona desplazada está recibiendo pago de asistencia social de un programa que destina los montos para refugio y servicios.

¿Cómo se calcula el suplemento para alquiler?

Digamos que su alquiler actual es de \$950.00 mensuales y que los gastos por servicios suman en promedio \$150.00 al mes, lo que equivale a un pago total de alquiler de \$1100.00. El Departamento ha determinado que existe una vivienda de reemplazo decente, segura e higiénica, comparable a su vivienda actual, que cuesta \$ 1.025,00 al mes más \$ 150 mensuales por los servicios, lo que equivale en total a \$ 1.175,00. Digamos que el ingreso anual total de su hogar es \$41,000, lo que está por debajo de los parámetros del Estudio Anual de Límites de Ingresos del HUD para su área (\$47,250), y el 30% del ingreso mensual de su hogar sería \$1,025.00. Por lo tanto, el cálculo sería el siguiente:

Ejemplo #5 (Usando el ingreso bajo del desplazado)

Alquiler comparable y servicios **\$1,175.00**
MENOS

Alquiler mensual de
base
El menor de:

- 30% del ingreso del hogar si se clasifica como de bajos ingresos por el Estudio Anual de Límites de Ingresos del HUD (\$47,250.00).

Ingreso anual del hogar del desplazado = \$41,000.00
\$41,000/12 meses X 30% =..... **\$1,025.00**

O

• Alquiler mensual del inmueble adquirido (incl. servicios) \$1,100.00

Equivalente al diferencial de alquiler.....\$150.00
Multiplicado por 42 meses X42
Suplemento total para alquiler..... \$6,300.00

O

Ejemplo #6 (Usando un alquiler justo de mercado)

Alquiler comparable y servicios **\$1,250.00**
MENOS

Alquiler mensual de base

El menor de:

-Ingreso anual del hogar del desplazado \$52,000.00
-30% del ingreso mensual del hogar (52,000/12 meses. x 30%) \$1,300.00
- Bajo ingreso según el Estudio de Límites de Ingresos del HUD\$47,250.00

O

Alquiler mensual del inmueble adquirido (incl. servicios)..... **\$1,100.00**

Equivalente al diferencial de alquiler.....\$150.00
Multiplicado por 42 mesesX42
Pago máximo **\$6,300.00**

¿Qué pasa si yo decido alquilar una vivienda más costosa que la vivienda comparable?

Si usted alquila una vivienda que cueste más que la vivienda de reemplazo comparable ofrecida por el Departamento, usted deberá pagar la diferencia de alquiler y servicios.

El propósito de un suplemento para alquiler es proporcionarle una vivienda de reemplazo comparable a su vivienda actual. Por lo tanto, una vivienda de reemplazo que **exceda** el costo de una vivienda comparable decente, segura e higiénica no puede ser parte del suplemento.

Digamos que la persona desplazada de verdad alquila una vivienda de reemplazo decente, segura e higiénica que cuesta \$1,350 mensuales entre

alquiler y servicios. En vez del diferencial de alquiler de \$ 150/mes mostrado en el ejemplo #5, el diferencial mensual cambiaría a \$325/mes. El desplazado sería responsable de los \$ 175/mes adicionales que totalizan \$7,350 por encima del período elegibilidad de 42 meses.

¿Qué pasa si alquilo una vivienda que cueste menos que la vivienda de reemplazo comparable?

Recibirá un suplemento para alquiler basado en la diferencia real entre su alquiler mensual de base y el promedio de servicios establecido para la vivienda desalojada y la vivienda real ocupada.

Ejemplo # 7

#1 Alquiler comparable y servicios	\$1,300.00
Su monto de vivienda de reemplazo y servicios.....	\$1,275.00
Su monto actual por alquiler y servicios	\$ 1,250.00
El suplemento para alquiler mensual es de.....	\$25.00
Multiplicado por 42 meses.....	X 42
Suplemento total para alquiler.....	\$1,050.00

SUPLEMENTO PARA CUOTA INICIAL

¿Quiénes pueden obtener este beneficio? El arrendatario y el propietario que hayan ocupado la vivienda desalojada, antes de que el Departamento haga su oferta inicial de compra del inmueble, y que sean considerados elegibles para recibir un pago de asistencia para alquiler.

Excepto; un propietario que haya ocupado la vivienda desalojada por 90 días o más antes de que el Departamento presente su oferta de compra no es elegible para este tipo de pago.

Su propósito: El suplemento para alquiler puede convertirse en una cuota inicial para permitirle a una persona desplazada comprar una vivienda de reemplazo como método de promover la tenencia de vivienda propia.

Si el cálculo del suplemento para alquiler es menor a \$7,200, el Departamento tiene potestad de aumentar el monto hasta \$7,200, siempre que todo el monto sea usado para la cuota inicial y gastos incidentales de la compra de una vivienda de reemplazo.

Por ejemplo, su suplemento para alquiler permitido es de \$6,000 y usted encuentra una casa que le gustaría comprar por \$100,000.

Si usted compra la casa de \$100,000, una cuota inicial del diez por ciento (10%) equivaldría a \$10,000. En este ejemplo, su suplemento para alquiler de \$6,000 puede aumentar hasta los \$7,200, siempre que todo el pago de \$7,200 sea invertido en el precio de compra.

Usted será responsable de todos los gastos que superen los \$7,200 y debe reunir los requisitos necesarios para obtener una hipoteca. (Esto significa que usted debe demostrarle al acreedor hipotecario que cuenta con suficientes ingresos para cubrir sus cuotas mensuales de pago de capital, intereses, impuestos y seguro de conformidad con buenas prácticas crediticias).

Antes de celebrar cualquier acuerdo o contrato de venta de una casa, casa rodante o terreno en el que usted esté planeando usar los fondos de la reubicación, deberá comunicarse con su agente de reubicación y discutir la compra que tiene planeada. El agente debe inspeccionar y certificar que el inmueble cumpla con los requerimientos de vivienda decente, segura e higiénica y garantizar que los fondos de la reubicación se utilicen correctamente.

Usted también deberá presentarle al Departamento una copia del contrato de compra legalizado y el acta de cierre que muestre el precio de compra y los costos incidentales.

REEMBOLSO DE LOS COSTOS DE MUDANZA

El Departamento reembolsará los costos reales, razonables y necesarios de trasladar a las personas o bienes muebles de un inmueble adquirido por el Departamento de Transporte de Florida.

Con la aprobación previa del Departamento, usted podría recibir un pago por otros costos, tales como el transporte hasta una nueva ubicación, seguro de mudanza y almacenamiento de bienes muebles.

Las personas desplazadas pueden escoger utilizar una “mudanza comercial” u optar por una de las opciones de “mudanza por cuenta propia”. Cualquiera que sea la opción que escoja, asegúrese de comentarla con su agente de reubicación.

MUDANZA COMERCIAL

Usted puede contratar una firma comercial para que se encargue de toda la mudanza.

Debe hacerse un inventario de todos los bienes personales antes de que comience la mudanza (inventario previo) y después de terminar la mudanza (inventario posterior). Usted debe firmar el inventario para certificar que es fiel y exacto.

Deberá solicitar presupuestos de mudanza. Según la complejidad de la mudanza, el Departamento exigirá uno o dos presupuestos. En los casos en que se obtengan dos presupuestos, el reembolso se limitará al monto del más bajo. Usted no tiene que elegir a la empresa de mudanzas que presente el menor presupuesto, pero el reembolso que le pagará el Departamento se basará en el presupuesto más bajo.

Otros costos relacionados ocasionados por la mudanza que no fueron considerados en el presupuesto pueden ser reembolsados con la aprobación del Departamento. Para ello, usted deberá guardar todas las facturas y demás documentos comprobantes de estos gastos, los cuales presentará al hacer su reclamo ante el Departamento. Asimismo, en este folleto, hay una lista de los gastos elegibles y no elegibles que usted puede consultar. De ser necesario, su agente puede explicárselos.

MUDANZA POR CUENTA PROPIA (ESTIMADO DE COSTOS FIJOS DE MUDANZA)

El estimado es una determinación precalculada de los gastos de mudanza, elaborada por la Administración Federal de Autopistas, basada en el número de habitaciones de bienes personales que deben

trasladarse. El Departamento puede permitir un aumento en el número de habitaciones cuando una habitación contenga suficientes artículos para constituir una habitación adicional. Una habitación se define como una sección completamente cerrada (que no sea un armario ni un baño) dentro de una estructura a la cual se accede a través de una puerta. Una habitación también puede ser un área que no está completamente cerrada pero que se usa con una función separada y distinta. Por ejemplo, en una “habitación mayor” que contiene un estar y un comedor, cada área puede ser contada como habitación separada aunque no haya paredes que las dividan.

El monto de reembolso se basará en el número de habitaciones de su vivienda actual.

Si usted opta por un pago fijo, no se le exigirá preparar inventarios, obtener presupuestos ni presentar comprobantes de gastos, a menos que se haya modificado el número de habitaciones. Otros costos relacionados, como el almacenamiento, transporte al nuevo inmueble, seguro, etc. no son elegibles según el estimado de pago fijo.

ESTIMADO DE ASIGNACIÓN DE PAGO FIJO

Si usted es dueño del mobiliario:

<u>Número de habitaciones</u>	<u>Monto de pago fijo</u>
1.....	\$ 750.00
2	\$ 900.00
3	\$ 1075.00
4	\$1,250.00
5	\$1,400.00
6.....	\$1,550.00
7.....	\$1,600.00
8.....	\$1,850.00
Cada habitación adicional.....	\$ 300.00

Si usted *no es* dueño del mobiliario:

<u>Número de habitaciones</u>	<u>Monto de pago fijo</u>
Primera habitación.....	\$ 500.00
Cada habitación adicional.....	\$ 150.00

O

MUDANZA POR CUENTA PROPIA (GASTOS DOCUMENTADOS)

Usted mismo puede hacer su mudanza y guardar todos los comprobantes, facturas, alquiler del vehículo para la mudanza, etc., para usarlos como documentación al presentar el reclamo por el reembolso de los costos reales y razonables de la mudanza realizada por cuenta propia. Si se determina que un reclamo de reembolso no es razonable, el Departamento puede obtener presupuestos, basados en un inventario previo a la mudanza, de firmas de mudanza calificadas con licencia. El pago de la mudanza por cuenta propia será el menor del presupuesto de mudanza o los gastos reales documentados.

Usted deberá hacer inventarios antes y después de la mudanza, los cuales deberán estar firmados por usted y el agente de reubicación.

Nota: Si los ocupantes de la residencia no son desplazados, pero existen bienes muebles en el área desalojada que deban ser trasladados, el costo del traslado podrá ser reembolsado basándose solo en gastos propios debidamente documentados o en un presupuesto comercial o del Departamento.

COSTOS DE MUDANZA REEMBOLSABLES

Los siguientes gastos de mudanza pueden ser reembolsables si son los costos reales razonables y necesarios ocasionados cuando se utiliza una firma comercial o se hace la mudanza por cuenta propia con gastos reales documentados:

1. Transporte de desplazados residenciales al sitio de reubicación, incluido el transporte especial en ambulancia, basado en cargos razonables reales para dicho transporte comercial;
2. Transporte de bienes muebles en una distancia no mayor a 50 millas (en circunstancias especiales, el distrito puede aprobar una mudanza mayor a 50 millas);
3. Empacado, embalaje, desempacado y desembalaje de bienes muebles;

4. Desconexión, desmontaje, remoción, montaje y reinstalación de aparatos domésticos y otros bienes muebles;
5. Almacenamiento de bienes muebles por un máximo de doce (12) meses a criterio del Departamento, si no es posible la ocupación inmediata del sitio de reubicación por motivos ajenos al propietario o arrendatario desplazado;
6. El seguro por valor de reposición de bienes relacionado con la mudanza;
7. Valor de reposición de bienes que sufran pérdida, robo o daño durante la mudanza por motivos ajenos al propietario cuando no se disponga de cobertura de un seguro;
8. Los costos reales razonables de comidas y alojamiento cuando el Departamento los considere necesarios. Por ejemplo, cuando no sea posible la ocupación inmediata de la vivienda de reemplazo;
9. Costos reales razonables por la reinstalación de un dispositivo existente como parte integral de un bien mueble, pero sólo si se trata como dispositivo en el avalúo. Por ejemplo, el cableado de un sistema de seguridad;
10. Otros gastos de mudanza determinados por el Departamento.

COSTOS DE MUDANZA NO REEMBOLSABLES

1. Costo de mudanza de estructuras, mejoras u otros bienes muebles comprados por el Departamento, pero retenidos por la persona desplazada;
2. Intereses sobre préstamos solicitados para cubrir los gastos de mudanza;
3. Lesiones personales;

4. Honorarios de abogados u otros costos por la preparación de reclamos de pago por reubicación o representación legal durante una apelación de reubicación;
5. Gastos de búsqueda de una vivienda de reemplazo;
6. Costos de almacenamiento de bienes personales en inmuebles que la persona desalojada ya posee o tiene alquilados;
7. Depósitos reembolsables de servicios públicos o de seguridad.

El agente le suministrará información adicional, servicios de asesoramiento y los formularios y asistencia que usted necesite para presentar su reclamo. Si usted es propietario, se le permitirán hasta 18 meses a partir de la fecha en que se muda o 18 meses a partir de la fecha de pago de adquisición final, para presentar un reclamo por los gastos de mudanza. No obstante, se le recomienda que presente su reclamo lo más pronto posible.

DERECHOS DE APELACIÓN

Si usted no está de acuerdo con los criterios de elegibilidad o con el monto del pago que el Administrador de Reubicación del Distrito ha determinado para su caso, usted tiene derecho a presentar una apelación.

Deberá presentar la apelación por escrito en un lapso máximo de sesenta (60) días contados a partir de la fecha en que usted reciba la notificación por escrito de que su reclamo ha sido negado por el Administrador de Reubicación del Distrito. Solicítele al agente el formulario de apelación No. 575-040-25. Deberá enviar su apelación a la siguiente dirección:

Florida Department of Transportation
State Relocation Administrator
605 Suwannee Street, Mail Station 22,
Tallahassee, Florida, 32399-0450

Si el Administrador de Reubicación Estatal rechaza su reclamo, le informará sobre el derecho que usted tiene de apelar esa decisión ante el secretario de actuaciones de la entidad, de conformidad con la Sección 120.57 de los Estatutos de Florida. Este procedimiento dará lugar a una audiencia administrativa o acción legal informal ante un funcionario imparcial designado para el caso.



Su agente de reubicación es: _____

N° telefónico de su agente: _____

Dirección de la Oficina de Distrito del Departamento de Transporte de Florida: _____

Nombre y N° telefónico del Administrador de Reubicación de Distrito del Departamento de Transporte de Florida: _____

Por favor utilice los siguientes números al llamar al Departamento para consultar sobre su reubicación.

W.P.I./Segmento N°: _____

Distrito gobernante: _____

F.A.P. No.: _____

Carretera estatal N°: _____

Condado: _____

N° parcela/ Reubicación: _____

Para algunos proyectos el Departamento puede contratar a una empresa calificada para que en representación del Departamento le ayude a usted con la reubicación. En dichos proyectos el nombre de la empresa aparecerá abajo. Incluso si existe un contrato de este tipo para este proyecto, usted todavía podrá dirigirse al Departamento de Transporte a través de la dirección y el teléfono indicados anteriormente, en caso de que usted lo considere necesario.

Nombre de la empresa que representa al Departamento de Transporte

Dirección de la empresa

N° telefónico

Notas

RELOCATION ASSISTANCE BUSINESSES, FARMS, AND NON-PROFIT ORGANIZATIONS



STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
HAYDON BURNS BUILDING
605 SUWANNEE STREET
TALLAHASSEE, FLORIDA 32399-0450

October 1, 2014



**IT REPRESENTS
THE MOST HUMANE
AND JUST LEGISLATION ON
RELOCATION ASSISTANCE EVER
ENACTED BY YOUR GOVERNMENT**



Declaration of Policy

***THE PURPOSE OF THIS TITLE IS TO ESTABLISH
A UNIFORM POLICY FOR FAIR AND
EQUITABLE TREATMENT OF ANY PERSONS DISPLACED
AS A RESULT OF FEDERAL AND FEDERALLY ASSISTED
PROGRAMS IN ORDER THAT SUCH
PERSONS SHALL NOT BE SUBJECTED TO
DISPROPORTIONATE INJURIES AS A RESULT OF
PROGRAMS DESIGNED FOR
THE BENEFIT OF THE PUBLIC AS A WHOLE.***

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INTRODUCTION

In order to keep up with Florida's rapid growth, a modern highway construction program is necessary to ensure safe, available roadways. Sometimes a small portion of the population is required to move their personal property, businesses, farms or non-profit organizations because of this much needed highway construction. If you are required to move, you may be able to receive relocation advisory services and payments for moving expenses as provided under Federal law (Public Law 91-646, the Uniform Relocation Act of 1970 as amended).

It is the policy of the Florida Department of Transportation that displaced businesses, farms and non-profit organizations will receive fair and equitable treatment.

This brochure explains the advisory services and payment benefits available under the Relocation Assistance Program. You may have additional questions regarding the program and your eligibility. You are advised to read this brochure carefully and make note of those points you will wish to discuss with your relocation specialist.

SOME IMPORTANT DEFINITIONS.....

Department:

The Department is the Florida Department of Transportation.

Business:

The term “business” means any lawful activity, except a farm operation, that is conducted:

1. Primarily for the purchase, sale, lease and/or rental of personal and/or real property; and/or
2. Primarily for the manufacture, processing or marketing of products, commodities or any other personal property; and/or
3. Primarily for the sale of services to the public; and/or
4. By a non-profit organization that has established its non-profit status under applicable Federal and State law.

Small Business:

The term “small business” means a business having not more than 500 employees working at the site being acquired or displaced by a program or project, which site is the location of economic activity. Sites occupied solely by outdoor advertising signs, displays, or devices do not qualify as a business for purposes of re-establishment expenses outlined under 49 Code of Federal Regulations, Part 24.304.

Farm Operation:

The term “farm operation” means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, or sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator’s support.

Non-Profit Organization:

The term "non-profit organization" means a corporation duly registered with the Florida Secretary of State as a Corporation Not for Profit and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code (26 U.S.C. 501).

Eligibility Conditions:

Anyone who must move their business, farm operation, non-profit organization or any personal property from the real property that is acquired by the Department may be eligible for reimbursement of actual moving expenses. Also, payments received under the relocation assistance program are not considered as income under the Internal Revenue Code.

Except, in accordance with Public Law 105-117, enacted on November 21, 1997, any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in 49 CFR Part 24.208(h).

MOVING COST REIMBURSEMENT BUSINESSES, FARMS, AND NON-PROFIT ORGANIZATIONS

Owners or tenants may choose to be reimbursed on the basis of actual, reasonable, moving costs and related expenses; or, under certain circumstances, a fixed payment in lieu of actual moving expenses;

- A. Actual, reasonable, moving expenses may be paid when the move is performed by a commercial mover or if you elect to move yourself. In some cases two move cost estimates maybe necessary to establish reasonable costs.
- B. Related expenses, such as personal property losses, expenses in locating a replacement site, and certain re-establishment costs may also be reimbursable.
- C. You may be eligible to receive a fixed payment "in lieu of moving expenses", based on the average annual net earnings of your operation (the payment may not exceed \$40,000, nor be less than \$1,000). To qualify for this payment, the business must vacate or relocate from its displacement site.

TWO WAYS TO MOVE

To assure eligibility and prompt payment for moving expenses, displaced businesses, farm operations or non-profit organizations must contact the Department prior to the move.

COMMERCIAL MOVES

You may be paid the actual, reasonable costs of your move provided through the services of a commercial mover. For moves exceeding \$10,000, two estimates are required and reimbursement will be limited to the lower estimated amount. All expenses

must be supported by receipted bills in order to ensure prompt payment of your moving costs claim.

SELF-MOVE

If **you** decide to move yourself and the estimated cost exceeds \$10,000, reimbursement cannot exceed the lower of two move cost proposals prepared by qualified move estimators. Reimbursement for moves estimated under \$10,000 may be based on a single estimate prepared by a qualified move estimator or by a Department employee. Whether you choose the "commercial move" method or the "self-move" method, the displacing agency must be allowed to monitor the move in accordance with governing federal regulations and Departmental rule. Monitoring is also necessary to ensure the moving expenses claimed are reasonable and necessary.

You may choose a combination of the commercial and self move option to best fit your business needs. As an example, you may want a commercial mover to handle the relocation of any large or special equipment, but you may wish to move your office (file cabinets, desk, etc.) yourself. When this combination is used, the requirements and provisions of each type of move will apply.

RE-ESTABLISHMENT EXPENSES

A small business, farm or non-profit organization may be eligible to receive a payment not to exceed \$25,000 for expenses actually incurred in re-establishing the business at the replacement site. These expenses must be reasonable and necessary as determined by the Department. They include, but are not limited to:

- repairs or improvements to the replacement real property as required by federal, state or local authorities;
- modifications to the property which are necessary to accommodate your business;
- construction and installation costs;
- redcoration or replacement of soiled or worn surfaces at the replacement site such as paint, paneling or carpeting;
- advertisement of replacement location;
- estimated increased cost of operation during the first two years at the replacement site such as:
 - (I) lease or rental charges,
 - (II) Personal or real property taxes,
 - (III) Insurance premiums, and
 - (IV) Utility charge, excluding impact fees.

Please keep in mind that the reimbursement for re-establishment expenses cannot exceed \$25,000 and you will be required to document the actual amount of your expenses.

The following is a non-exclusive listing of re-establishment expenses not considered to be reasonable, necessary or otherwise eligible:

1. Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures
2. Purchase of manufacturing materials, supplies or inventory or other items used in the normal course of the business operation;
3. Interest on money borrowed to make the move or purchase the replacement property;
4. Payment to a part-time home business which makes no material contribution to the household income.

SEARCH EXPENSES FOR REPLACEMENT PROPERTY

Displaced businesses, farms and non-profit organizations may be reimbursed for actual, reasonable expenses related to the search for a replacement property, not to exceed \$2,500. Expenses may include costs such as transportation, meals, lodging when away from home, and the reasonable value of time actually spent in searching for a replacement site. All expenses must be supported by receipted bills, except the value of time spent in the search.

Payment for time actually spent in searching shall be based on the applicable reasonable hourly wage for the person conducting the search. A certified statement of the time, dates, and places spent searching and hourly wage rates must accompany the claim for reimbursement. Discuss with your agent before incurring these costs.

TYPES OF PAYMENT:

Actual, Reasonable	Fixed Payment (In Lieu of)	
Actual, Reasonable Move Costs Plus Reimbursement of: *Search Costs *Re-establishment Expenses	OR	\$1,000 to \$40,000; equal to the average annual net earnings for a business or farm; \$1,000 to \$40,000; equal to average annual gross revenue less administrative expenses for non-profit organizations.

FIXED PAYMENTS

Displaced businesses, farm operations and non-profit organizations may be eligible for a fixed payment in lieu of actual moving expenses, searching expenses, re-establishment expenses, and actual direct loss payments for tangible personal property. Such payment shall not be less than \$1,000 or more than \$40,000.

For the owner of a business or non-profit organization to be eligible for this payment, the business must incur expenses for either moving personal property from the site or relocate from its displacement site. The Department must determine that the business or non-profit organization cannot be relocated without a substantial loss of its existing patronage and is not part of an enterprise with more than three similar establishments not being acquired by the Department.

For the owner of a farm operation to be eligible for a fixed payment, the Department must determine that the acquisition caused a substantial change in the nature of the operation.

A part-time individual or family occupation in the home which does not contribute materially to the income of the displaced owner is not eligible for a fixed payment.

NOTE: Landlord businesses are NOT eligible for this entitlement.

FIXED PAYMENT COMPUTATION.....

For businesses and farm operations, the computation of the fixed payment is usually based upon the average annual net earnings for the two taxable years immediately preceding the taxable year during which the enterprise is displaced. For non-profit organizations the payment is based on the average annual gross revenue less administrative expenses for the same period of time.

BUSINESS OR FARM EXAMPLE

<u>2012</u> Annual Net Earnings \$39,000	<u>2013</u> Annual Net Earnings of \$50,500	<u>2014</u> Year of Relocation	You must provide information to the Department to support your net earnings (i.e., tax returns)
AMOUNT OF FIXED PAYMENT=\$40,000 (Average of two taxable years prior to relocation \$44,750)			

NON-PROFIT ORGANIZATION EXAMPLE

<u>2012</u> *Annual Net Earnings \$36,000	<u>2013</u> *Annual Net Earnings of \$37,500	<u>2014</u> Year of Relocation	You must provide information to the Department to support your net earnings (i.e., tax returns)
AMOUNT OF FIXED PAYMENT = \$36,750 (Average of two taxable years prior to relocation) *Less Administrative Expenses			

Remember, a Fixed Payment is paid in lieu of any actual, reasonable moving expenses, search expenses, or re-establishment expenses.

DOCUMENTED SELF-MOVE

This method also allows you to receive payment for the actual, reasonable costs of performing the move yourself. However, you must provide documentation of the actual costs associated with the move. Examples of the documentation would be receipts for equipment rentals, fuel, labor, etc. Equipment rental fees should be based on the actual cost of renting the equipment, but cannot exceed the cost charged by a commercial mover.

Labor documentation should reflect the persons involved in the move, type of work performed, hourly wage and time period of actual work must also be documented. The hourly wage paid cannot exceed the cost charged by a commercial mover.

REIMBURSABLE EXPENSES

These expenses are usually reimbursable as actual, reasonable moving expenses (for commercial or self-moves). They must be actually incurred documented expenses. Talk to your agent if you have any questions. This is not an all inclusive list:

1. Expenses (up to \$2500) in searching for a replacement site;
2. Moving of personal property to a replacement site within a 50 mile radius of the present location;
3. Insurance premiums covering the reasonable replacement value of personal property against loss and damage while in transit;
4. Packing, crating unpacking and uncrating of the personal property;
5. Telephone re-installation;
6. Replacement cost of stationary, if determined necessary by the Department;
7. Re-installation of certain fixtures; (like for like system)
8. Repainting of firm name and address on vehicles;
9. Storage of personal property for up to twelve (12) months at the Department's discretion, if immediate occupancy of the replacement site is not possible through no fault of the displaced business owner or tenant;
10. Consultant fees in planning the move and/or designing your plant layout, if you relocate to an existing structure;
11. Actual direct losses of tangible personal property if the business is discontinued or if an item of personal property will not be used or will be replaced at the new site.

RELATED NON-RESIDENTIAL ELIGIBLE EXPENSES

1. Connection to available nearby utilities from the right of way to improvements at the replacement site;
2. Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the displaced person's business operation including but not limited to soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). A reasonable pre-approved hourly rate may be established;
3. Impact fees or one time assessments for anticipated heavy utility usage, as determined necessary by the Department.

NON-REIMBURSABLE EXPENSES

The following expenses are usually ineligible for reimbursement as "actual moving expenses" (not an all inclusive list):

1. Additional expenses incurred because of moving to a new location, such as increased rent, mortgage payments, or utility costs, except as provided under Re-establishment Expenses;
2. Cost of moving structures, improvements or other real property in which the displaced person reserved ownership;
3. Interest on loans to cover moving expenses;
4. Loss of goodwill;
5. Loss of trained employees;
6. Loss of business and/or profits;
7. Personal injury;
8. Any legal fee or other cost for preparing a claim for relocation payment or for representing the claimant before the Department;
9. Cost of moving personal property to location other than the actual replacement site;
10. Overtime pay to employees working on the move, unless prior approval is given by the Department;
11. Capital improvements to the replacement site or structure, except as provided under re-establishment expenses;
12. Costs of storage of personal property on real property already owned or leased by the displaced person;
13. Any expense already paid through a business damage claims, settlements and awards.



PRE-MOVE and POST-MOVE INVENTORIES

When the "commercial" or "self-move" option is selected, a pre-move inventory of personal property to be moved is required prior to the actual date of the move. Inventories may be prepared by business personnel with or without assistance from a Department specialist; however, verification by the Department is required prior to the move. Following the move, a post-move inventory of the items actually moved must also be submitted and verified by your relocation specialist. If the items on this follow-up inventory differ from the pre-move inventory, the amount of the estimate may be appropriately adjusted prior to payment of the claim.

ACTUAL DIRECT LOSSES OF TANGIBLE PERSONAL PROPERTY

Payment for losses of tangible personal property may be made when you decide not to move such property. A payment of this type will be allowed only after you have made a bona fide effort to sell the item(s) unless the Department waives this requirement. You will be reimbursed for the reasonable expenses incurred as a result of conducting the sale.

The payment for direct losses of tangible personal property cannot exceed the estimated cost of moving such personal property. Your relocation specialist will explain this procedure in detail as it applies to you.

SEE YOUR RELOCATION SPECIALIST FOR DETAILS.....





HAZARDOUS SUBSTANCES AND HAZARDOUS WASTE

If you must relocate a business, farm operation or non-profit organization that generates stores or uses hazardous materials or hazardous wastes, the Department will reimburse you for the moving or disposal of these substances under the following conditions:

1. If you choose to dispose of the hazardous materials, you will be reimbursed for its disposal or the actual, reasonable cost of moving it whichever is less. You will not be reimbursed for the disposal of such materials if its disposal is a normal part of your business operation.
2. If you choose to move the hazardous materials, you will be reimbursed for the actual, reasonable and necessary cost of this move.

All hazardous substances which are not hazardous wastes must be disposed of or moved to the replacement site and all hazardous wastes must be disposed of in accordance with all applicable laws, regulations and ordinances.

Your relocation specialist can answer your questions and provide necessary and important information regarding the moving or disposal of these materials.

Remember... HAZARDOUS SUBSTANCES AND HAZARDOUS WASTES MUST NOT be abandoned!!!!

A RELOCATION SPECIALIST WILL CONTACT YOU....

A relocation specialist from the Department will contact you personally to explain the relocation assistance advisory services and payment benefits available to you in accordance with your eligibility. During the initial contact interview, the specialist will work with you to determine your replacement needs and desires, as well as your need for advisory services.

The specialist can be of help to you during this period of transition, so please do not hesitate to accept this offer of assistance. The relocation specialist can provide current listings of replacement sites available to you on the open market, assistance in completing application and claim forms for payment, financial information concerning replacement sites, and other assistance that will enable you to relocate to your replacement site with a minimum of difficulty.

RELOCATION ASSISTANCE SERVICES

Any business, farm operation or non-profit organization displaced by the Department for a highway program shall be offered relocation assistance services for the purpose of locating a suitable replacement property, as well as reimbursement of eligible moving costs and other advisory services. These services are provided by qualified personnel employed by the Department. It is their goal to assist in any way possible to assure your successful relocation. Your relocation specialist is also familiar with the services provided by other public and private agencies in your community, such as:

Small Business Administration	Utility Companies
Local Planning and Zoning Authorities	Commercial Movers
Realtors	

If you require additional assistance, your Specialist will make every effort to secure the services of those organizations which are professionally equipped to help you.

IN ADDITION TO PERSONAL CONTACT....

In addition to personal contacts by your relocation specialist, you will usually find a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during hours convenient to the people they serve, including evening hours when necessary. The relocation office can provide lists of replacement sites, information on building codes, and data for taxes and various other subjects.

The address of the relocation office nearest you and the name of your relocation specialist may be found in the back of this brochure.

The complete Federal and State regulations under which the Department's Relocation Assistance Program is administered can be reviewed at: <http://www.dot.state.fl.us/rightofway/Relocationinformation.shtml>, and are on file and available for your review during regular business hours at the office listed on the back of this brochure or at:

**Florida Department of Transportation
Office of Right of Way
Haydon Burns Building
605 Suwannee Street, M.S. 22
Tallahassee, Florida 32399-0450**

Remember! The Department's relocation personnel are here to help and advise you. Be sure to make full use of their services. Do not hesitate to ask questions! We want you to fully understand your rights and the relocation services available to you.



YOUR RIGHT OF APPEAL

IF YOU DO NOT AGREE WITH THE TYPE OR AMOUNT OF PAYMENT THE DEPARTMENT DETERMINES YOU ARE ELIGIBLE FOR, FEDERAL LAW PROVIDES AN APPEAL PROCESS FOR REVIEW OF YOUR CASE. THE DEPARTMENT WILL PROVIDE THE NECESSARY FORMS FOR YOU TO BEGIN THE APPEAL PROCESS. YOU WILL BE GIVEN A FULL OPPORTUNITY TO BE HEARD. THE DEPARTMENT WILL PROMPTLY REVIEW YOUR APPEAL AND NOTIFY YOU OF ITS DECISION. A FINAL APPEAL MAY BE SENT TO:

**Florida Department of Transportation
Office of Right of Way
Haydon Burns Building
605 Suwannee Street, M.S. 22
Tallahassee, Florida 32399-0450**



CONTACT INFORMATION:

Your nearest Relocation Office is located at:

Your Telephone Number: _____

Date of First Written Offer: _____

When contacting the Department, please provide the following reference numbers:

Item/Segment No: _____ Parcel No: _____

County: _____ Managing District: _____

F.A.P. _____ State Road No: _____

Please Note: On some projects the Department may contract with a company qualified to represent the Department who will assist you in your relocation. If this is such a project, the Company's name will appear below. Even if the project is under contract, you may still contact the Department of Transportation at the above address and telephone number if you feel it is necessary.

Name of Company Representing the Department of Transportation:

Address: _____

Phone Number: _____

Name of Company Agent: _____

Phone Number: _____

MISSION STATEMENT

The Department will provide a safe transportation system that ensures the mobility of people and goods enhances economic prosperity and preserves the quality of our environment and communities.



FLORIDA
DEPARTMENT OF TRANSPORTATION

MOBILE HOME RELOCATION ASSISTANCE



This brochure provides an overview of the Florida Department of Transportation's Relocation assistance program with an emphasis on mobile home relocation.

Effective Date October 2014

Florida Department of Transportation Relocation Assistance Program

Sections 334.044, 339.09 and 421.55, Florida Statutes Rule 14-66, Florida Administrative Code.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, for Federal and Federally Assisted Programs, 23 CFR and 49 CFR, Part 24, Public Law 91-646.

In the early stages of a Department of Transportation road widening project, there may be some activities such as public meetings or land surveyors in the area where you live. This activity may cause speculation, anxiety and concern about the road and who will be affected by it. These activities may take place years before the department actually starts to acquire right-of-way. If you are required to move or move personal property from the property being acquired you are considered to be displaced. Please be assured, if you are displaced, an agent representing the department will meet with you personally to fully explain the relocation program. The agent will work with you and advise you throughout your entire relocation process.

Are you a Displaced Person? (Displacee)

Any person who has received written notification from the department that he/she must move, or has personal property that must be moved, from the real property acquired by the Florida Department of Transportation is referred to as a displacee.

However, in accordance with Public Law 105-117, enacted on November 21, 1997, any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments. The one exception is, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in 49 CFR Part 24.208(h).

Advance Notice

All displacees will receive at least ninety (90) days advance written notice before being required to move. It is in your best interest to work closely with your relocation agent starting immediately after you receive notice that you will be displaced. The agent will assist you in finding suitable replacement housing and ensure that you receive all of the entitlement for which you are eligible.

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Relocation Is An Entitlement Program

The Relocation Assistance program is designed to provide advisory services and reimbursement payments to persons displaced by a Department acquisition. Your eligibility for a relocation assistance payment is based on specific criteria governed by State and Federal guidelines. The requirements and your responsibilities for receiving such a payment will be provided to you. Questions you may have will be answered by a Department agent.

Relocation Payments Affect on Other Benefits

If you are presently receiving social security or welfare, your relocation payment will not affect those benefits. Also, the Internal Revenue Service does not consider relocation payments you receive as income.

Fair Housing

The Department complies with Title VIII of the Civil Rights Act of 1968, and its amendments which makes discriminatory practices in the purchase and rental of housing illegal if based on race, religion, sex, or national origin.

Special Needs Assistance

If you require special assistance, your relocation agent will make every effort to secure the services of other organizations, such as the Department of Health, Elder Affairs, Community Affairs, local charitable organizations, housing or loan programs, which are professionally equipped to help you.

Mobile Home Relocation Terms and Definitions

This brochure contains specific terminology relating to *mobile home relocation*. Familiarity with these terms and definitions will enhance the reader's understanding of the mobile home relocation process.

Acquired Mobile Home When the mobile home is included in the acquisition as part of the *real estate*, the term, "acquired mobile home" is used.

Department In this brochure, "Department" refers to the Florida Department of Transportation.

Displace Any person, business, farm or non-profit organization that is required to relocate or move personal property as a result of a Florida Department of Transportation project.

Displaced Mobile Home A mobile home that must be relocated, acquired, or purchased by the Department due to a transportation project.

Domicile The place where a person has his or her true, fixed, permanent home and principal establishment and to which he or she has, when absent, the intention of returning.

Initiation of Negotiations The date the first written offer of just compensation is made by the Department to the owner to acquire real property for a transportation project.

Mobile Home A structure, transportable in one or more sections, with a body width of 8 feet or more, built on an integral chassis, designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, electrical systems, as applicable.

Mobile Home Owner-Occupant A person who owns a mobile home and occupies it as a dwelling.

Mobile Home Owner A person who *owns* a mobile home but does *not occupy* it as a dwelling.

Mobile Home Tenant A person who rents and occupies a mobile home as a dwelling.

Notice of Eligibility Notification by the Department in writing of a displacee's eligibility to receive relocation assistance such as advisory services, move cost reimbursements, and/or replacement housing payments.

Personal Property (1) A mobile home not considered part of the real estate which may or may not be movable to another site. (2) Household furniture, clothing and other belongings which will be moved

Purchased Mobile Home A mobile home purchased by the Department as *unmovable personal* property and not included in the acquisition of the real property.

Real Property\Real Estate Land, including all improvements located on the land. A mobile home *permanently* attached to the land is considered part of the real estate. If the Department purchases the land the mobile home is located on, and the mobile home is considered real estate, it will be included as part of the real estate acquisition.

Statement of Eligibility A written statement showing the dollar amount of the maximum replacement housing payment a displacee may be eligible to receive.

Decent, Safe, and Sanitary (DS&S) Housing

Before you move into and occupy a replacement dwelling, the relocation agent will perform an inspection to determine that the property meets the DS&S requirements. It is important that this inspection be completed prior to occupancy so your benefits are not jeopardized.

A decent, safe and sanitary residence will include but is not limited to the following:

- ✓ A living space large enough to accommodate the people who will live with you
- ✓ An adequate and safe electrical system
- ✓ A safe, drinkable water supply
- ✓ Hot and cold water
- ✓ An operable sewage system or septic tank
- ✓ Stove and refrigerator space and service connections
- ✓ Adequate lighting
- ✓ Safe, unobstructed doorways
- ✓ Proper ventilation
- ✓ Bathtub or shower
- ✓ Private toilet
- ✓ Adequate heat (Will heat to approximately 70 degrees)
- ✓ Structurally sound

Comparable Replacement Housing

If you are displaced from your residence, the Department will assist you in locating other housing that is functionally equivalent and comparable to the residence you are living in at the time the Department makes the first written offer to purchase your dwelling. It will have approximately the same amount of living space and will be located in a similar neighborhood.

For Example:

If you are living in a 28' X 52' double wide mobile home, containing 1,456 square feet, three (3) bedrooms, two (2) baths, living room, dining room and family room, the agent will try to find a comparable replacement mobile home approximately the same size with the same number of rooms.

MOBILE HOME AS PERSONAL PROPERTY

If a mobile home is *not permanently attached* to the land on which it is located and it can be transported to another mobile home site, it may be considered personal property. The displacee may own or rent the land.

The owner of a mobile home that is considered personal property, which has been displaced by the Department, may be reimbursed for the actual, reasonable, and necessary costs to transport the mobile home to another site, within 50 miles, with the personal household property secured inside. Estimates must be obtained from professional mobile home movers and reimbursement will be based on the lower estimate.

In addition, a displacee may be eligible for reimbursement of the following:

- (1) The reasonable cost of disassembling, moving and reassembling any attached appurtenances such as porches, decks, skirting, and awnings;
- (2) Utility hook-ups to nearby utilities, and permits required by the local county codes and regulations;
- (3) A non-refundable mobile home park entrance fee that is determined by the Department to be reasonable;
- (4) A payment of \$550 for packing and securing items inside the mobile home;
- (5) A replacement housing payment for an appropriate replacement site;
- (6) Necessary and reasonable repairs or modifications to the mobile home.

MOBILE HOME AS PERSONAL PROPERTY THAT CANNOT BE MOVED

Listed below are some of the reasons a mobile home may not be movable:

- (1) The structural condition of the mobile home is such that it cannot be moved without substantial damage or unreasonable costs; or
- (2) The mobile home is not, and cannot economically, be made decent, safe and sanitary (DS&S); or

- (3) The mobile home does not meet comparable mobile home park eligibility requirements, if a park is the only option available; or
- (4) The District Relocation Administrator determines that other conditions would prohibit the relocation of the mobile home.

If your mobile home is considered personal property but cannot be moved to another site, the Department may offer to purchase the mobile home.

The purchase price will be based on the fair market value of the mobile home which must be established by a person qualified to appraise mobile homes. The ownership must be evidenced by a bill of sale and the title to the mobile home.

If the cost of a comparable mobile home is more than the purchase price of the mobile home bought by the Department, you may be eligible for a replacement housing payment (see page 7). You will also be eligible to receive:

- Reimbursement for the cost to move your household personal property to another location within 50 miles.
- Relocation advisory assistance

MOBILE HOME AS REAL ESTATE

Land is real estate and if a mobile home is permanently attached to the land and cannot be moved to another site, the mobile home may be considered part of the real estate. When the property is appraised by the Department, a determination will be made as to whether the mobile home is part of the real estate. If it is, the land and the mobile home will be acquired (bought) by the Department through the real estate acquisition process.

The displacee will not be eligible for reimbursement of costs to transport the mobile home to another site.

If you occupy a mobile home that is acquired by the Department as real estate, and you have received notification of your relocation eligibility from the Department, you are eligible to receive:

- (1) Relocation advisory assistance.
- (2) Reimbursement of moving costs to move furniture and other personal property to a comparable replacement dwelling within 50 miles.

You may also be eligible for a replacement housing payment to assist with the rental or purchase of a comparable, decent, safe and sanitary replacement dwelling. There are specific requirements that must be met to become eligible for a replacement housing payment.

REPLACEMENT HOUSING PAYMENTS

A Replacement Housing Payment (RHP) assists persons who are displaced from their residence to obtain a replacement dwelling that is comparable and functionally equivalent to the displaced residence. If a comparable replacement dwelling costs more to purchase or rent than the displaced dwelling, a replacement housing payment may be computed to pay the difference. Specific requirements must be met to become eligible for a replacement housing payment.

OCCUPANCY REQUIREMENTS AND TYPES OF RHP'S

YOUR LENGTH OF OCCUPANCY, as an owner or tenant, in the displaced mobile home located on the acquired site, prior to the date of the first written offer to acquire the site (also called the initiation of negotiations), determines the type of replacement housing payment you may be eligible to receive.

PURCHASE ADDITIVE 90 Day Occupancy Required

- For a Mobile Home: If you have owned and occupied the mobile home at the displacement site for 90 days or more prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the land the mobile home is located on.
- For Land: If you have owned and lived on the land 90 days or more prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the mobile home.

RENT SUPPLEMENT 90 Day Occupancy Required

- For a Mobile Home: If you have occupied the mobile home, as an owner or tenant, at the displacement site at least 90 days prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the land it is located on.
- For Land: If you have lived on the land as an owner or tenant at least 90 days prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the mobile home.

DOWN PAYMENT SUPPLEMENT

- Your rent supplement may be converted into a down payment supplement to assist you in purchasing your replacement residence and/or replacement site.

PURCHASE ADDITIVE RHP FOR 90 DAY OWNER OCCUPANTS

If a replacement mobile home and/or lot cost more than the current value of the mobile home and/or lot the Department is displacing, the purchase additive payment will make up the difference between the two. However, the Department must limit the purchase additive amount to the difference between what the Department paid for your present dwelling and the value of a dwelling the Department selects as most comparable.

In addition to the purchase additive you may be eligible for reimbursement of reasonable incidental expenses required to purchase the replacement mobile home and/or lot. Examples are, title transfer, inspection fees, credit report, appraisal fees, etc. You may also be eligible for an increased interest differential payment if the interest rate on a new loan for the mobile home and/or lot is higher than the interest rate on the displaced mobile home and/or lot, and it has been a valid lien on the property for at least 90 days prior to the Department making its first written offer.

Example A: You own and occupy the mobile home and land.

You have owned and lived in the mobile home on that site for 15 years. The Department acquired your mobile home and lot as real estate for \$25,000. The relocation agent has found a comparable mobile home and lot that will cost \$30,000.

Comp. Replacement mobile home & lot	\$30,000
Amt. paid for displaced mobile home & lot	<u>-\$25,000</u>
Amt. of Purchase Additive.....	\$ 5,000

Example B: You own and occupy the mobile home, and rent the land.

The mobile home cannot be moved to another site due to its age and structural condition. The Department has agreed to purchase the mobile home at the appraised fair market value of \$13,000. A comparable replacement mobile home can be purchased for \$15,000. A comparable lot can be rented for the same amount you paid for rent on the displaced lot; therefore, there is no eligibility for a replacement housing payment for the lot rent.

Comparable Replacement mobile home	\$15,000
Amt. paid for displaced mobile home	<u>-\$13,000</u>
Amount of Purchase Additive.....	\$ 2,000

RENT SUPPLEMENT

RHP FOR 90 DAY OCCUPANTS

If your rent payment, including the cost of utilities, on a comparable replacement dwelling is higher than you have been paying for the displaced mobile home, you *may* be eligible to receive a rent supplement that will make up the difference for a period of 42 months.

Example C: You rent and occupy both the mobile home and lot.

You are paying \$250 per month to rent the mobile home and lot, plus \$125 per month for utilities, a total of \$375. The relocation agent has found a comparable replacement mobile home and lot to rent for \$400 including utilities.

Comparable replacement rental & utilities	\$400
Less cost of rent & utilities at displaced mobile home	<u>-\$375</u>
Difference per month	\$ 25
Times 42 months	<u>x 42</u>
Amount of rent supplement	\$1,050

COMBINATION PURCHASE ADDITIVE/RENT SUPPLEMENT

Example D: You own and occupy the mobile home and rent the lot.

You have lived on this site for 15 years and you own the mobile home which cannot be moved. The Department has agreed to purchase your mobile home at its fair market value for \$10,000. You rent your lot for \$150 per month. A comparable mobile home will cost \$12,000. A comparable replacement lot rents for \$175 per month.

Purchase additive for mobile home

Comparable replacement mobile home	\$12,000
Less Amt. paid for displaced mobile home	<u>-\$10,000</u>
Amt. of purchase additive for mobile home	\$ 2,000

Rent supplement for lot

Comparable replacement lot rent	\$ 175
Less rent paid for the displacement lot	<u>- \$ 150</u>
Difference per month	\$ 25
Times 42 months	<u>42</u>
Amount of rent supplement.....	\$1,050

In this example you would be eligible to receive a purchase additive in the amount of \$2,000 for the mobile home and a rent supplement in the amount of \$1,050 for the lot.

DOWNPAYMENT SUPPLEMENT CONVERTING YOUR RENT SUPPLEMENT INTO A DOWN PAYMENT

If you have received your written notice of eligibility for a rent supplement you may be able to convert the rent supplement into a down payment on a replacement dwelling, and/or lot, if you choose to purchase instead of rent. The entire amount of the rent supplement must be applied toward the purchase of your replacement residence and/or lot.

If your rent supplement eligibility is less than \$7,200, and you would like to convert it to a down payment supplement, you may be able to increase the amount up to \$7,200. This increase is to assist residential tenants in becoming owners.

Example E: You rent both the mobile home and lot.

Using Example C on page 9, your rent supplement eligibility is \$1,050. You have found a mobile home, including the lot, you would like to purchase for \$12,000.

You may convert the rent supplement of \$1,050 into \$7,200 for your down payment to purchase the \$12,000 mobile home and lot. You will be responsible for the remainder of the \$12, 000 purchase price and all expenses over the \$7,200.

Example F: You own a movable mobile home and rent your lot.

You own the displaced mobile home and the Department will reimburse the cost to transport and set it up at a replacement site. You have been renting your lot for \$150 per month and your relocation agent has found a comparable lot that rents for \$200 per month.

Comparable replacement lot	\$ 200
Less lot rent at acquired	-\$ 150
Difference per month	\$ 50
Times 42 months	x 42
Rent Supplement for lot.....	<u>\$2,100</u>

You have found a lot you would like to purchase for \$7,000. You may increase your rent supplement up to \$7,200 if you purchase the lot for \$7,000 and apply the remaining \$200 to incidental expenses. If there are no incidental expenses, you would receive only \$7,000. The total amount of the supplement must be applied towards the purchase of the lot and incidental expenses.

Residential Moving Cost Reimbursement

The Department will reimburse the actual, reasonable and necessary cost to move personal property displaced by the Department. With the District Relocation Administrator's prior approval, you may also receive payment for other related costs such as transportation to the new location, moving insurance and short term storage of personal property.

The Three Move Cost Reimbursement Options

(1) Use a commercial mover to handle the entire move for you

Move cost estimates must be obtained from qualified movers based on an inventory of your personal property to be moved. You may choose a mover other than the one with the lower estimate; however, your reimbursement will be based on the lower amount. Pre-move and post move inventories are required.

(2) A self move based on actual reasonable and necessary costs

You must save all invoices, receipts, and other documentation, of the costs you incurred to move and submit them to the Relocation Agent when filing your claim for a reimbursement payment. If a question arises as to the reasonableness of an expense, the Department may obtain estimates from qualified movers. Pre-move and post move inventories are required.

(3) A self move using a pre-calculated fixed move cost schedule

The schedule is based on the number of rooms of furniture that must be moved.

For example:

If you have four furnished rooms and you own the furnishings the schedule will allow one fixed payment in the amount of \$1050 in lieu of all moving and other related costs.

Note: If the mobile home is transported to another site with the household personal property still inside, the Department will make one payment of \$550 to pack and secure the items inside the mobile home (See page 5).

Appeal Rights

If you are required to move and you do not agree with the eligibility determination or amount of payment that the District Relocation Administrator has determined you are eligible to receive, you may file an appeal with the State Relocation Administrator.

You must file a written appeal no later than sixty (60) days from the date you receive the written notification your request or claim has been denied by the District Relocation Administrator.

Ask the agent for the appeal form number 575-040-25. The appeal should be addressed to:

Florida Department of Transportation
State Relocation Administrator
605 Suwannee Street, Mail Station 22,
Tallahassee, Florida, 32399-0450

If the State Relocation Administrator denies your claim, he/she will advise you of your right to appeal that decision under Sections 120.569 and 120.57, Florida Statutes, to the Clerk of Agency Proceedings. This will result in an administrative hearing or an informal proceeding.

Florida Department of Transportation

Department of Transportation District Office Address

District Relocation Administrator's Name and Telephone Number

District Relocation Agent's Name and Telephone Number

When contacting the Department please provide the following reference numbers.

W.P.I./Segment No: _____

Parcel No: _____

Please Note: On some projects the Department may contract with a private company to represent the Department in assisting you with your relocation. If this is such a project, the Company's name will appear below. Even if your project is under such a contract, you may still contact the Department of Transportation at the above address and telephone number if you feel it is necessary.

Name of Company Representing the Department of Transportation

Address

Name of Company's Agent

Telephone Number _____

MISSION STATEMENT

The Department will provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity and preserves the quality of our environment and communities.



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605 Suwannee Street
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<http://www.dot.state.fl.us/rightofway/>

REUBICACIÓN DE HOGARES MÓVILES



Este folleto es una traducción al español de un resumen del Programa de Ayuda para Reubicación preparado por el Departamento de Transportación de Florida para la reubicación de hogares móviles

**Departamento de Transportación de Florida
Programa de Ayuda de Reubicación**

Secciones 334.044, 339.09 and 421.44, Estatutos de Florida Regla 14-66 Código Administrativo de Florida

Ayuda de Reubicación Uniforme y Política de Adquisición de Bienes Raíces, Acta de 1970, para Programas Federales, 23 CFR y 49 CFR, Parte 24, Ley Pública 91-646

Durante el comienzo de un proyecto de ampliación de carreteras se llaman a cabo vistas públicas y agrimensuras de terrenos que son causa para que personas que puedan ser impactadas por el mismo se sientan ansiosas y preocupadas. Estas actividades pueden conducirse años antes de que el Departamento comience a adquirir servidumbres de paso. Si usted es una de las personas afectadas y tiene que mudar su propiedad personal de la propiedad que va a adquirirse, usted es considerado una persona desalojada. Si usted es desalojado, un agente representante del Departamento se reunirá con usted para discutir y explicarle el Programa de Reubicación. El agente trabajará con usted y lo aconsejará durante el proceso de reubicación.

ES USTED UNA PERSONA DESALOJADA?

Un desalojado es una persona que ha recibido una notificación escrita del Departamento informándole que tiene que mudarse, o que tiene que mudar su propiedad personal localizada en la propiedad adquirida por el Departamento de Transportación del Estado de Florida.

De acuerdo a la Ley Pública 105-117 del 21 de noviembre de 1997, ninguna persona que se encuentre en los Estados Unidos ilegalmente, es elegible para recibir asistencia de servicios de reubicación o pagos de reembolsos, a menos que al negársele la elegibilidad, otras personas tales como un cónyuge, padres, o hijos resulten afectados detrimentalmente, según lo define el Código de Regulaciones Federales 49, Parte 24.208(h).

NOTIFICACIÓN POR ADELANTADO

Todos los desalojados recibirán una notificación escrita por adelantado, no más tarde de 90 días antes que se les requiera mudarse. Es importante que usted coopere con su agente de relocalización comenzando tan pronto reciba su notificación. El Agente lo ayudará a localizar una vivienda de reemplazo y se asegurará que usted reciba todos los beneficios para los que sea elegible.

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EL PROGRAMA DE RELOCALIZACIÓN ES UN PROGRAMA DE DERECHOS

Este programa fué diseñado para proveer servicios de consejería y pagos de relocalización a personas desalojadas por un proyecto del Gobierno. Su elegibilidad para recibir ayuda de relocalización es basada en criterios establecidos por el Gobierno. A usted se le proporcionará información sobre requerimientos y su responsabilidad para poder recibir reembolso.

CÓMO LOS PAGOS DE REUBICACIÓN AFECTAN OTROS BENEFICIOS

Si actualmente usted recibe Seguro Social o bienestar público (“welfare”), el pago de reubicación no afectará esos beneficios. Además, el Internal Revenue no considera los pagos de reembolso como ingresos.

IMPARCIALIDAD EN LA VIVIENDA

El Departamento cumple con el Título VIII del Acta de Derechos Civiles de 1968, y sus enmiendas, que proclama ilegal cualquier acto discriminatorio contra compradores de hogar o inquilinos, basado en raza, religión, sexo u origen nativo.

AYUDA PARA NECESIDAD ESPECIALES

Si usted requiere atención especial, su Agente de Relocalización hará todo lo posible por conseguirle ayuda de otras agencias profesionales capacitadas para ayudarlo, tales como el Departamento de Salud y Rehabilitación, Negociado Para Envejecientes, Negociado de la Comunidad, organizaciones caritativas de la comunidad, programas para viviendas o préstamos, etc.

TÉRMINOS Y DEFINICIONES RELOCALIZACIÓN DE HOGARES MÓVILES

Este panfleto contiene terminología específica referente a la *reubicación de hogares móviles*. La familiarización del lector con los términos y definiciones que aparecen a continuación le ayudará a entender mejor el proceso de reubicación de hogares móviles.

Hogar Móvil Adquirido Cuando el hogar móvil se incluye en la adquisición de bienes raíces, se usa el término “hogar móvil adquirido.”

Departamento En esta publicación, “Departamento” se refiere al Departamento de Transportación del Estado de Florida.

Desalojado Cualquier persona, negocio, finca u organización sin fines lucrativos, a quien se le requiere ubicarse o mudar su propiedad personal como resultado de un proyecto del Departamento de Transportación del Estado de Florida.

Hogar Móvil Desalojado Un hogar móvil que el Departamento tiene que reubicar, adquirir o comprar a causa de un proyecto de transportación.

Domicilio El lugar donde una persona tiene su verdadero hogar o establecimiento principal, y donde intenta regresar, si se encuentra ausente.

Iniciación de Negociaciones La fecha de la primera oferta por escrito que hace el Departamento ofreciendo compensación justa para la adquisición de bienes raíces para un proyecto de transportación.

Hogar Móvil Una estructura, transportable en una sección o más, de 8 pies o más de ancho, construida sobre un armazón o chasis, diseñada para vivienda cuando se conectan utilidades públicas, que incluyen plomería, calefacción, electricidad.

Dueño/Ocupante de un Hogar Móvil Dueño de un hogar móvil quien lo ocupa como vivienda.

Dueño de Hogar Móvil Dueño de un hogar móvil, pero que **no lo ocupa** como vivienda.

Inquilino de un Hogar Móvil Una persona que alquila y ocupa un hogar móvil como su vivienda.

Notificación de Elegibilidad Notificación por escrito del Departamento a desalojados sobre elegibilidad para recibir ayuda para reubicación, tal como servicios de asistencia de reubicación, reembolso de costos de mudanzas y/o pago de reemplazo de vivienda.

Propiedad Personal (1) Un Hogar Móvil no considerado parte de los bienes raíces que pueda o no reubicarse en otro lugar. (2) Mobiliarios, ropa y otras pertenencias que han de mudarse.

Hogar Móvil Comprado Un Hogar Móvil que compra el Departamento y se considera propiedad personal no movable, y que no se incluye en los bienes raíces a adquirirse.

Propiedad Personal/Bienes Raíces Terrenos, incluyendo mejoras localizadas en él. Un Hogar Móvil fijo permanentemente al terreno se considera bienes raíces. Si el Departamento compra el terreno donde se encuentra el Hogar Móvil, el Hogar Móvil es considerado bienes raíces y se incluye como parte de la adquisición.

Declaración de Elegibilidad Una declaración escrita que contiene el valor monetario máximo del pago de reemplazo de una vivienda que un desalojado puede ser elegible a recibir.

HOGAR MODERADO, SEGURO E HIGIÉNICO (MS&H)

Antes de mudarse y ocupar una vivienda de reemplazo, el Agente de Reubicación la inspeccionará para determinar que la propiedad cumple con el requerimiento de ser MS&H. Es importante que la inspección se haya hecho antes de que se ocupe la vivienda para evitar arriesgar sus beneficios.

Un residencia Moderada, Segura e Higiénica incluye, pero no se limita, a lo siguiente:

- ✓ Área suficientemente grande para acomodar todos los que viven con usted
- ✓ Servicio eléctrico adecuado y seguro
- ✓ Servicio de agua potable seguro
- ✓ Agua fría y caliente
- ✓ Sistema de alcantarillado o pozo séptico
- ✓ Espacio para estufa y refrigerador conectados y operables
- ✓ Iluminación adecuada
- ✓ Pasillos seguros y sin obstáculos
- ✓ Ventilación adecuada
- ✓ Duchas y baños privados
- ✓ Calefacción adecuada (70F)
- ✓ Estructura firme

VIVIENDA DE REEMPLAZO COMPARABLE

Si usted es desalojado de su residencia, el Departamento le ayudará a localizar otra vivienda que sea equivalente y comparable a la que habita cuando el Departamento le hace la primera oferta para comprar su vivienda. Deberá tener aproximadamente las mismas dimensiones y estar localizada en un vecindario similar a donde se encuentra ahora.

Ejemplo:

Si usted vive en un hogar móvil de doble ancho de 28' x 52', que contiene 1,456 pies cuadrados, con tres habitaciones, dos baños, sala, comedor y sala de recreo (“family room”), el Agente tratará de encontrar una vivienda comparable de aproximadamente las mismas dimensiones y el mismo número de habitaciones.

(1) Daños estructurales de tal magnitud que no es posible moverlo sin causar daños adicionales o incurrir costos excesivos;

(2) El hogar móvil no está, ni pudiera ponerse, en condición Médica, Segura e Higiénica (MSH);

(3) El hogar móvil no tiene los requerimientos necesarios para acceso a un parque de hogares móviles, si el parque es la única opción posible;

(4) El Administrador de Reubicación del Distrito encuentra y determina otras condiciones que impiden la reubicación.

Si su hogar móvil es propiedad personal pero no se puede mudar a otro lugar, el Departamento puede ofrecerse a comprarlo

El precio de compra se basará en el valor de mercado justo (VMJ) que establezca un tasador con experiencia en tasaciones de hogares móviles. La propiedad se debe evidenciar por una cuenta de la venta y el título al hogar móvil.

Si el costo de un hogar móvil comparable es más del precio de adquisición comprado por el departamento, usted puede calificar para pago de replazo de vivienda. (Ver página 10).

Usted también calificará para recibir:

- Reembolso de gastos de transportación de su mobiliario.
- Servicios de Asistencia en Reubicación.

HOGAR MÓVIL CONSIDERADO BIENES RAÍCES

El terreno es considerado bienes raíces y si un hogar móvil está cimentado permanentemente al terreno y no puede moverse a otro lugar, el hogar puede considerarse como bienes raíces. Cuando se tasa la propiedad, se hará la determinación de si el hogar es o no parte de los bienes raíces. Si es, el terreno y el hogar se adquirirán (comprarán) a través del proceso de adquisición.

- En este caso el desalojado no califica para reembolso de costos de transportación del hogar móvil a otro lugar.

Si usted ocupa un hogar móvil que es adquirido como bienes raíces, y se le ha notificado que califica para beneficios de reubicación, usted es elegible para recibir:

- Servicios de Asistencia en Reubicación.
- Reembolso de gastos de mudanza de mobiliarios y propiedad personal a una vivienda comparable a no más de 50 millas de distancia.

Usted puede también ser elegible a un Pago de Reemplazo de Vivienda (PRV) que le ayude a alquilar o comprar una vivienda comparable, Moderada, Segura e Higiénica (MS&H). Para calificar para este pago, existen requerimientos específicos aplicables a su caso.

PAGO DE REEMPLAZO DE VIVIENDA

El Pago de Reemplazo de Vivienda (PRV) ayuda a los desalojados a adquirir una vivienda que sea comparable y equivalente a la propiedad desalojada. Si la residencia a comprarse o alquilar es más costosa que la desalojada, el PRV se computará tomando ésto en consideración para pagar la diferencia. Para calificar para este pago, existen requerimientos específicos aplicables a su caso.

QUÉ TIPO DE DUEÑO ES USTED

LA DURACIÓN DEL TIEMPO que usted ha ocupado la vivienda desalojada localizada en el terreno adquirido, como dueño o inquilino anteriormente a la fecha de la primera carta de oferta para adquirir el terreno, (también llamada el comienzo de negociaciones) determina el tipo de pago de reemplazo de vivienda que pueda usted recibir si califica.

Dueño/Ocupante por 180 días

- Para Hogares Móviles: Si usted ha sido dueño y ocupante del hogar móvil en el terreno desalojado 90 días o más antes del comienzo de negociaciones, usted es un dueño por 90 días. Usted puede ser dueño de, o alquilar, el terreno donde está localizado el hogar móvil.

- Para terrenos: Si usted ha sido dueño y vivido en el terreno 90 días o más antes del comienzo de negociaciones, usted es unocupante por 90 días. Usted puede ser dueño de, o alquilar, el hogar móvil.

Ocupante por 90 días

- Para Hogares Móviles: Si usted ha ocupado el hogar móvil, como dueño o inquilino, en el terreno desalojado por lo menos 90 días antes del comienzo de negociaciones, usted es un ocupante por 90 días. Usted puede haber sido dueño o inquilino del terreno.
- Para terrenos: Si usted ha habitado el terreno como dueño o inquilino por lo menos 90 días antes del comienzo de negociaciones, usted es un ocupante por 90 días. Usted puede haber sido dueño o inquilino del hogar móvil.

Suplemento de la Señal

- Su suplemento del alquiler se puede convertir en un suplemento de la señal para asistirle en comprar su residencia del reemplazo y sitio del reemplazo de /or.

SUPLEMENTO ADICIONAL

Pago de Reemplazo de Vivienda (PRV) para Dueño/Ocupante por 90 Dias

El suplemento adicional para la compra de su nueva vivienda le ofrece un respaldo económico en la compra de su nueva vivienda, cuando el precio de ésta es más alto que el de la vivienda desalojada. Sin embargo, el departamento debe limitar la cantidad de aditivo compra a la diferencia entre lo que el departamento pagado por su vivienda actual y el valor de una vivienda el departamento selecciona como más comparable.

Además del suplemento adicional, usted puede calificar para reembolso de gastos imprevistos para la compra de la futura vivienda y/o solar. Por ejemplo: transferencia de título de propiedad, tarifas de inspección, reportes de crédito, tarifas de tasación, etc. También usted puede calificar para un pago de ajuste al interés del préstamo, si la diferencia es mayor que el interés que paga ahora. El préstamo existente debe tener sido un embargo preventivo válido en la característica por lo menos 90 días antes del departamento que hace su oferta primero escrita.

Ejemplo A: Usted es dueño y ocupa su hogar móvil y el terreno

Usted ha sido dueño/ocupante del hogar móvil y el terreno donde se ubica por 15 años. El Departamento adquiere su hogar móvil y terreno (HM/T) por la cantidad de \$25,000. El Agente de Reubicación ha encontrado un hogar móvil y terreno, comparable al suyo por \$30,000.

HM/T	\$30,000
Precio de Venta por su HM/T	<u>-\$25,000</u>
Cantidad del suplemento adicional.....	\$ 5,000

Ejemplo B: Usted es dueño y ocupa un hogar móvil (HM), y alquila el terreno

El HM no puede trasladarse/mudarse a otro solar debido a su condición estructural y la edad del mismo. El Departamento está de acuerdo a comprarlo por el precio de mercado de \$13,000. Un HM comparable puede comprarse por \$15,000. Un solar comparable puede alquilarse por la misma cantidad que usted pagaba en el solar desalojado, por lo tanto, usted no califica para un pago de reemplazo de vivienda para el solar.

Vivienda de Reemplazo comparable	\$15,000
Precio de Venta HM desalojado	<u>-\$13,000</u>
Suplemento adicional	\$ 2,000

SUPLEMENTO PARA ALQUILER

Pago de Reemplazo de Vivienda Ocupante por 90 días

Si el alquiler de la nueva vivienda es más alto que el que usted pagaba anteriormente, usted puede ser elegible para recibir un pago que iguale la diferencia por un período de 42 meses.

Ejemplo C: Usted alquila y ocupa un hogar móvil con solar.

Su mensualidad por el hogar móvil y el solar es \$250 más \$25 por utilidades públicas, para un total de \$275. El Agente de Reubicación ha encontrado un hogar con solar comparable por \$300 incluyendo las utilidades públicas.

Reemplazo Comparable y utilidades	\$ 300
Menos renta & utilidades anteriores	<u>-\$ 275</u>
Diferencia mensual	25
Por 42 meses	<u>x 42</u>
Suplemento de alquiler.....	\$1,050

SUPLEMENTO PARA ALQUILAR Y COMPRAR COMBINADOS

Ejemplo D: Usted es dueño del hogar móvil y alquila el solar

Usted ha vivido en este lugar por 15 años y es dueño del hogar móvil, el que no puede moverse. El Departamento está de acuerdo en comprar su hogar móvil por \$10,000. Usted paga \$50 de renta por el solar.

Un hogar móvil comparable cuesta \$12,000. Renta mensual del solar en un sitio comparable es \$75.

Suplemento Adicional para el hogar móvil

Reemplazo comparable	\$ 12,000
Menos precio de compra	<u>- \$ 10,000</u>
Suplemento Adicional	\$ 2,000

Suplemento de Alquiler para el solar

Reemplazo comparable	\$ 75
Menos renta	<u>- \$ 50</u>
Diferencia mensual	\$ 25
Por 42 meses	<u>x 42</u>
Suplemento de Alquiler	\$1,050

En este ejemplo usted sería elegible recibir un añadido de la compra en la cantidad del teh de \$2000 para el hogar móvil y un suplemento del alquiler en la cantidad de \$1050 para la porción.

SUPLEMENTO PARA PAGO INICIAL DE COMPRA

Convirtiendo su Suplemento de Alquiler a Pago Inicial para Compra

Si usted ha recibido un carta de notificación donde se le informa que califica para suplemento de alquiler, puede usar el suplemento como pago inicial para comprar una vivienda y/o un solar, si es que desea comprar casa en vez de alquilarla. La cantidad del suplemento de alquiler tendrá que utilizarse en su totalidad para la compra de una vivienda y/o solar. Puede incluir gastos imprevistos tales como transferencia de título de propiedad, tarifa de inspección, reportes de crédito, tarifa de tasación, tarifa de solicitud de préstamo, seguro de título de propiedad, agrimensura, etc.

Si su suplemento de alquiler es menos de \$7,200 y usted desea usarlo para el pago inicial de compra, existe la posibilidad de poder aumentarlo a \$7,200. Este aumento se hace con la idea de ayudar inquilinos a convertirse en dueños.

Ejemplo E: Usted alquila el hogar móvil y el solar

Usando el Ejemplo C, en la página 12, su suplemento de alquiler es \$1,050. Usted ha encontrado un hogar móvil que incluye el solar y usted desea comprarlo por \$12,000.

Usted puede convertir el suplemento del alquiler de \$1,050 en \$7,200 para que su señal y costos incidental compren el hogar y la porción de \$12,000 móviles. Usted será responsable para el resto del precio de compra \$12,000 y de todos los costos sobre los \$7,200.

Ejemplo F: Usted es dueño de un hogar móvil considerado propiedad personal y alquila el solar.

Usted es dueño de un hogar móvil desalojado y el Departamento le reembolsará el costo de transportación e instalación en el nuevo solar. Usted paga renta por el solar de \$50 mensuales y su Agente de Reubicación ha encontrado un solar comparable por \$100 mensuales.

Solar comparable	\$ 100
Menos alquiler del solar ahora	- \$ 50
Diferencia mensual	\$ 50
Por 42 meses	<u>x 42</u>
Suplemento de alquiler para solar	\$2,100

Usted ha encontrado un solar por \$5,000 y desea comprarlo. Su suplemento para alquiler puede aumentarse hasta \$7,200 si hace la compra y puede aplicar el balance de \$2,200 a los gastos imprevistos. Si no hubiesen gastos imprevistos, usted recibirá solamente \$5,000. El suplemento tiene que aplicarse en su totalidad al precio de compra del solar y gastos imprevistos.

REEMBOLSO DE GASTOS DE MUDANZA

El Departamento reembolsará la cantidad exacta de gastos razonables y necesarios incurridos para mudar su propiedad personal. Si es previamente aprobado por el Administrador de Reubicación, usted también puede recibir reembolso de otros gastos tales como transportación al lugar nuevo, seguro de transportación, almacenaje de propiedad personal.

REEMBOLSO DE GASTOS DE MUDANZAS B TRES OPCIONES

(1) Usando una compañía de mudanzas

Deberá obtener estimados de costos de dos o más compañías de mudanzas basado en un inventario de la propiedad personal que ha de mudarse. Usted tendrá la opción de escoger la compañía que hará la mudanza. Si hay una compañía que ofreció un estimado más bajo que la compañía que usted escoge, el reembolso se calculará basado en el estimado más bajo. Inventarios previos y posteriores a la mudanza son requeridos.

(2) Usted hace la mudanza por sí mismo

Todas las facturas, recibos y otra documentación como comprobantes de los gastos incurridos, han de ser sometidos para la aprobación de su Agente de Reubicación con su solicitud para reembolso. Si algún gasto no se considera razonable, el Departamento puede obtener otro estimado. El reembolso se puede limitar a la cantidad estimada más baja. Inventarios previos y posteriores a la mudanza son requeridos.

(3) Usted hace la mudanza por sí mismo usando una tarifa fija

La tarifa es basada en el número de habitaciones con mobiliario a mudarse.

Ejemplo: Si usted hace que cuatro cuartos equipados y usted posean los mobiliarios el horario permitirá un pago fijado en la cantidad de \$1,050 en lugar de todos los costes móviles y relacionados.

Nota: Si el hogar móvil es transportado a otro lugar con la propiedad personal dentro, el Departamento le hará un pago de \$550 por gastos de empaque y protección de los mobiliarios (véase la página 8).

DERECHO DE APELACIÓN

Si usted tiene que mudarse y no está de acuerdo con la cantidad de dinero a que tiene derecho, según los calculos del Administrador de Reubicación del Distrito, usted puede presentar una apelación al Administrador de Reubicación del Estado.

Su apelación tiene que ser radicada con el Departamento de Transpor-tación, usando la forma 575-040-25, no más tarde de sesenta (60) días de la fecha en que recibió notificación indicándole la cantidad de dinero a que califica.

Pída a su Agente de Relocalización la 575-040-25, complete toda la información requerida y envíela a la siguiente dirección:

Florida Department of Transportation
State Relocation Administrator
605 Suwannee Street, M.S. 22,
Tallahassee, Florida, 32399-0450

Si el Administrador de Reubicación del Estado niega su apelación, se le infomará de su derecho a apelar esa decisión ante un Oficial de la Agencia (Clerk of Agency Proceedings) según las Secciones 120.569 y 120.57 de los Estatutos de la Florida. Esa segunda apelación será en forma de una vista administrativa (procedimiento informal).

HOGAR MÓVIL CONSIDERADO PROPIEDAD PERSONAL

Si el Hogar Móvil no se encuentra cimentado al terreno donde está localizado y puede transportarse a otro lugar, se considerará Propiedad Personal. El desalojado puede ser dueño del terreno, o alquilar el mismo.

El dueño de un Hogar Móvil (Propiedad Personal), quien ha sido desalojado califica para reembolso de gastos exactos incurridos que sean razonables y necesarios para reubicarse en otro lugar, no más lejano de 50 millas, y llevando los mobiliarios dentro del Hogar Móvil. Deben obtenerse dos o más estimados de costo de una compañía de mudanzas de Hogares Móviles y el reembolso será basado en el estimado más bajo.

Un desalojado puede calificar para reembolsos adicionales, tales como:

- (1) Gastos razonables para desconectar, mudar y reconectar pertenencias tales como: Porche (“Porch”), Balcón (“Deck”), Encintado (“Skirts”), y Cortinaje (“Awning”).
- (2) Conexión de utilidades públicas y permisos aplicables;
- (3) Tarifa razonable de entrada a un parque de hogares móviles, si la tarifa no es reembolsable;
- (4) Un pago de \$550 para empacar y asegurar el contenido dentro del hogar móvil;
- (5) Pago de remplazo para obtener un solar apropiado;
- (6) Reparaciones o modificaciones al hogar móvil que sean necesarias y razonables.

HOGAR MÓVIL (PROPIEDAD PERSONAL) NO MOVIBLE

A continuación, algunas de las razones que impiden mover un hogar móvil:

DEPARTAMENTO DE TRANSPORTACIÓN DE FLORIDA

Dirección de la Oficina del Distrito del Departamento de Transporte

Nombre y número de teléfono del Administrador de Reubicación del Distrito

Nombre y número de teléfono del Agente de Reubicación del Distrito

Favor identificarse con los siguientes números al contactar el Departamento

W.P.I./Segmento No: _____

Parcela No: _____

NOTA: Existen ciertos proyectos para los cuales el Departamento puede haber contratado una compañía privada para representar al Departamento y ayudarlo a usted en su reubicación. Si éste es uno de esos proyectos, el nombre de la compañía se encuentra a continuación y usted puede comunicarse con el Departamento de Transportación en la dirección y teléfono mencionados anteriormente si lo considera necesario.

Nombre de la Compañía que Representa al Departamento de Transporte

Dirección

Nombre del Representante de la Compañía

Teléfono _____



ENUNCIADO DE NUESTRA MISIÓN

El departamento proporcionará un sistema de transporte seguro que garantice la movilidad de las personas y los bienes, mejore la prosperidad económica y preserve la calidad de nuestro medio ambiente y nuestras comunidades.

Publicado por el Departamento de Transporte de la Florida
Oficina de Derecho de Vía
605 Suwannee Street
Tallahassee, Florida 32399-0450
<http://www.dot.state.fl.us/rightofway/>
Vigente a partir de septiembre de 2005

NOTES

**RELOCATION
ASSISTANCE
PROGRAM
PERSONAL PROPERTY
MOVES**



RELOCATION ASSISTANCE PROGRAM

IT REPRESENTS THE MOST HUMANE AND JUST LEGISLATION ON
RELOCATION ASSISTANCE EVER ENACTED BY YOUR GOVERNMENT

Laws, Rules and Procedures that govern the relocation assistance program:
49 C.F.R., Part 24 (Public Law 91-646) - Uniform Relocation Assistance and
Real Property Acquisition Policies Act of 1970, as amended; Florida Statutes
339.09, 421.55; Florida Administrative Code Rule 14-66; Florida
Department of Transportation Right of Way Manual



Declaration of Policy

*THE PURPOSE OF THIS TITLE IS TO ESTABLISH
A UNIFORM POLICY FOR FAIR AND
EQUITABLE TREATMENT OF ANY PERSONS DISPLACED
AS A RESULT OF FEDERAL AND FEDERALLY ASSISTED
PROGRAMS IN ORDER THAT SUCH
PERSONS SHALL NOT BE SUBJECTED TO
DISPROPORTIONATE INJURIES AS A RESULT OF
PROGRAMS DESIGNED FOR
THE BENEFIT OF THE PUBLIC AS A WHOLE.*

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In order to keep up with Florida's rapid growth, a modern transportation construction program is necessary to ensure safe, available roadways. Sometimes a small portion of the population is required to relocate their personal property from lands being acquired by the department because of this much needed highway construction.

Any person having personal property that must be moved from the real property being acquired by the Florida Department of Transportation is referred to as a displaced person or displacee. Department policy is that displacees will receive fair and equitable treatment. However, according to Public Law 105-117, enacted on November 21, 1997, any person who is an alien not lawfully present in the United States is ineligible for relocation benefits, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent or child, as defined in 49 CFR Part 24.208(h) .

In the early stages of a project, activities such as a Department of Transportation public meeting or surveyors in the area may cause speculation, rumors, and anxiety about where the road is going, and who will be affected. These activities may take place years before the department actually starts to acquire right of way. Please rest assured, if you qualify as a displaced person, a relocation agent representing the department will meet with you personally to fully explain the relocation program. The relocation agent will work with and advise you throughout the entire relocation process.

All displacees will receive at least ninety (90) days advance written notice before being required to move their personal property. It is in your best interest to work closely with your relocation agent starting immediately after you receive notice that you have personal property that must be moved. They will assist you to ensure possible relocation assistance benefits are not jeopardized.

This brochure explains the advisory services and payment benefits available under the Relocation Assistance Program for a Personal Property Move. You are advised to read this brochure carefully and make note of those points you wish to discuss with the relocation agent.

SOME IMPORTANT DEFINITIONS....

90-Day Letter of Assurance: A written assurance furnished to the displacee explaining that he or she will not be required to move their personal property for at least 90 days from the receipt of this notice.

30-Day Notice to Vacate: A written notice furnished to the displacee specifying the date by which he or she will be required to have personal property moved from the acquired site. This notice cannot expire before the 90 Day Letter of Assurance expires.

Acquired: The time title to real property transfers to the department. Transfer occurs either at closing in negotiated settlements or on the date the funds are deposited in the court registry in condemnation cases.

Department: The Florida Department of Transportation.

Direct Payment Agreement: A written agreement among the displacee, the vendor and the department.

Displaced Person: The term “displaced person” is synonymous with the term “displacee”. The term refers to any person, as defined in this brochure, who moves or moves his or her personal property from the real property being acquired.

(A) As a direct result of the department’s acquisition of such real property in whole or in part for a project. This includes any person who moved their personal property from the real property as a result of the initiation of negotiations or a written notice of intent to acquire. In the case of a partial acquisition, the department shall determine whether the person is displaced as a direct result of the partial acquisition; or

(B) As a result of a written order from the department to vacate such real property for the project; or

(C) As a result of the department's acquisition of, or written order to vacate, or a written notice of intent to acquire, other real property for a project on which the person conducts a business, farm operation, or is a nonprofit organization. Eligibility under this definition applies only for purposes of obtaining relocation assistance advisory services and reimbursement of moving expenses; or

(D) As a direct result of rehabilitation or demolition for a project.

Initiation of Negotiations: The date the department delivers its initial written offer of just compensation to purchase real estate to the owner or the owner's representative.

Notice of Eligibility: A written notice to a displaced person notifying them of their eligibility for applicable relocation assistance.

Person: The term "person" means any individual, family, partnership, corporation, or association.

Personal Property: Generally, moveable items; not permanently affixed to and a part of the real estate which typically can be removed without serious injury either to the real estate or the items themselves.

Post-Move Inventory: A list of items actually moved from the real property being acquired. Such list is prepared after the move is complete and is confirmed by the department's representative and the displacee.

Pre-Move Inventory: A list of items to be moved from the area of real estate being acquired. Such list is prepared prior to the move and is confirmed by the department's representative and the displacee.

GOVERNING LAW AND RULE



The following information is intended to provide insight regarding the options a person has for moving their personal property. The laws that govern move cost entitlements are contained in 49 C.F.R., Part 24.301 – 305, and F.A.C. Rule 14-66.007. If the reader does not understand the meaning of certain references made in this document, please refer to the definition section for clarification or discuss with your relocation agent.

Personal Property Move Options

When the department is acquiring real estate for a transportation facility, “personal property only” moves can occur. The personal property may be located:

- On a residential site when the residents themselves are not required to move.
- On a business (non-residential) site when the business itself is not required to move or,
- On a vacant or improved site neither occupied by a residence or a business.

How to tell if you are eligible...

If you own personal property that must be moved from real estate being acquired by the department, you will receive a Notice of Eligibility. You are not eligible until that notice is delivered.

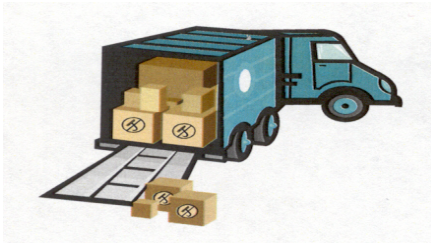
Once you are notified, you may choose a commercial move or a self move method of moving.

Regardless of the type of move you select, it is critically important that you coordinate with your relocation agent to preserve your eligibility for reimbursement.

Moving of Personal Property

For moving of personal property on a residential site, a business site, or a vacant site, when the occupants themselves are not required to move, you can be reimbursed for actual moving costs. You may choose a self move, commercial move, or a combination of the two. Each is further explained below.

Commercial Move



You may choose to hire a commercial moving company to handle the entire move. The department will reimburse you for the reasonable costs you actually incur with the following conditions:

- A pre-move and post-move inventory must be conducted (see definitions).
- In advance of the move, the department must approve the selected mover's estimated costs. If the move estimate exceeds \$10,000, the department will require two estimates from licensed movers. Your reimbursement will be limited to the lower of two valid estimates in all cases where two estimates are required. The department will not prepare in-house estimates for moves in excess of \$10,000.

At your request, the department's agent will assist you in obtaining valid estimates.

You may pay the mover directly and be reimbursed by the department, or you and the mover may agree to have the department pay the mover directly by signing a “Direct Payment Agreement.”

Self-Move



You may choose to move your personal property yourself. If you choose a self-move option, reimbursement will be based on one of two options: an estimate of costs prepared by a commercial mover or department personnel, or actual documented expenses.

Self-Move Based on Commercial Estimate:

The same conditions of a commercial move apply to this option.

Self Move Based on Actual Documented Expenses:

The department will reimburse reasonable costs actually incurred with the following conditions:

- A pre-move and post-move inventory must be conducted (see definitions).
- Upon completion of the move, you must present all receipts, invoices, truck rental expenses, etc., to document the reasonableness of the costs incurred. Hourly rate and equipment rental fees cannot exceed the cost paid by a commercial mover. If there is any concern about the reasonableness of the costs incurred, the department will request an estimate for comparison. Reimbursement will be limited to the lower of the actual documented costs or the lower estimate amount.

Regardless of which option you select, you will be solely responsible for moving or having the inventoried personal property moved.

Whether you choose the “self-move” or “commercial move” method, the department may require monitoring of the move. This helps us to ensure that the move is conducted as planned and that moving expenses claimed are appropriate and reasonable. On any move where the pre-move and post-move inventories differ, the department will reimburse only those costs associated with the items actually moved.

Other costs incurred during the move, that may have been unforeseen initially, may be reimbursed if approved by the department. You must show proof of any additional costs and you are encouraged to discuss them with your relocation agent prior to incurring them, if possible.

In accordance with federal regulations the department is required to advise you, in writing, of your responsibility of allowing the department to inspect the personal property at both the displacement and replacement sites and you must provide the department reasonable advance written notification (7 days) of the approximate date you expect to begin your move. Your receipt of this brochure satisfies the applicable federal requirement.

HAZARDOUS SUBSTANCES & HAZARDOUS WASTES



If you must relocate hazardous materials or hazardous wastes, the department will reimburse you for the moving or disposal of these substances under the following conditions:

1. If you choose to dispose of the hazardous material, you will be reimbursed for its disposal or the actual, reasonable cost of moving it, whichever is less.
2. If you choose to move the hazardous material, you will be reimbursed for the actual, reasonable and necessary cost of this move.

Exception: If the disposal of hazardous material is part of a normal operation, the department will not pay for the cost of such disposal, unless the disposal is required outside of the normal maintained schedule.

All hazardous substances which are not hazardous wastes must be disposed of or moved to the replacement site and all hazardous wastes must be disposed of in accordance with all applicable laws, regulations and ordinances. Under no circumstances is the department to be considered the owner or shipper of any hazardous material or substance in its transportation to a replacement site or disposal site.

Your relocation agent can answer your questions and provide necessary and important information regarding the moving or disposal of these materials.

Remember - Hazardous substances OR waste must not be abandoned!!!

Relocation Payments Do Not Affect Other Benefits

If you are presently eligible for social security, welfare, or other types of assistance, your relocation payments for moving personal property will not affect those benefits. Relocation payments are not considered as income by the IRS and are not reported by the department on Form 1099.

The Purpose of Your Relocation Eligibility

Relocation Assistance is designed to assist persons who are displaced and who must relocate their personal property. Your eligibility to be reimbursed for moving expenses is determined in accordance with specific State and Federal requirements. Your relocation benefit is non-negotiable and does not allow a payment for representation by a third party.

Claim Filing Period

All claims for a relocation payment shall be filed with the department within 18 months after:

1. For tenants, the date of the move;
2. For owners, the date of the move or the date of the final payment for the acquisition of the real estate, whichever is later;
3. This time period may be waived by the department for good cause.

Your agent will provide you with the necessary forms and provide assistance if needed, to complete the forms.

Appeal Rights



If you are required to move your personal property and you do not agree with the eligibility determination or amount of payment that the District Relocation Administrator has determined you are eligible to receive, you may file an appeal.

You must file a written appeal no later than (60) days from the date you receive the written notification your eligibility or claim has been denied by the District Relocation Administrator. Ask the department's agent to provide you with appeal form #575-040-25 and their assistance in completing it. The appeal should be addressed to:

Florida Department of Transportation
State Relocation Administrator
605 Suwannee Street, M.S. 22,
Tallahassee, Florida 32399-0450

The State Relocation Administrator will review your claim and if it is denied - he/she will advise you of your right to appeal that decision under Section 120.57(1) or (2), Florida Statutes, to the Clerk of the Agency Proceedings. This will result in a formal or informal hearing. Any request for a formal or informal proceeding must be made in writing and directed to:

The Clerk of Agency Proceedings
Florida Department of Transportation
605 Suwannee Street, M.S. 58
Tallahassee, FL 32399-0450

Department of Transportation District Office Address

District Relocation Administrator's Name and Telephone Number

Name and Telephone Number of Relocation Agent

When contacting the department please provide the following reference numbers:

Item/Segment No.: _____ Parcel No.: _____

County: _____ Managing District: _____

F.A.P. No.: _____

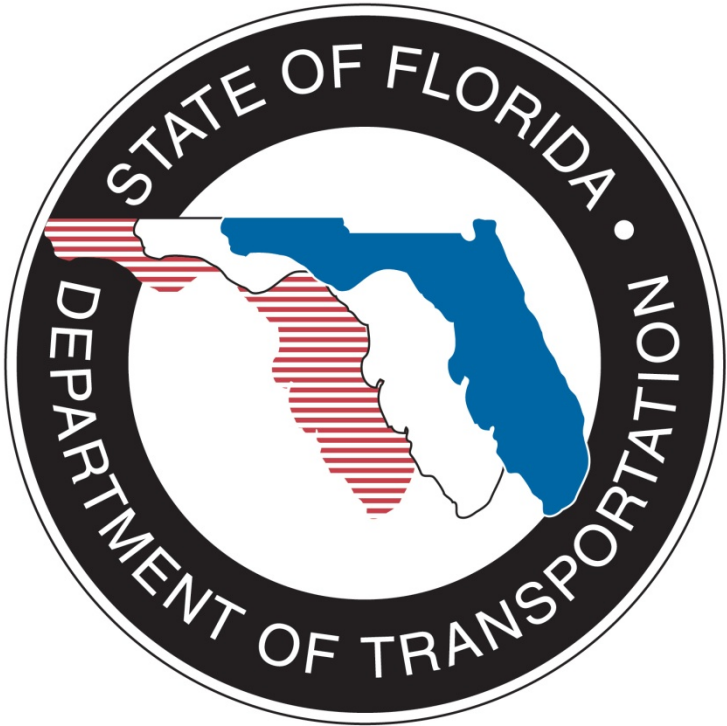
State Road No.: _____

Please Note: On some projects the Department may contract with a Company qualified to represent the Department who will assist you in your relocation. If this is such a project, the Company's name will appear below. Even if the project is under contract, you may still contact the Department of Transportation at the above address and telephone number if you feel it is necessary.

Name of Company Representing the Department of Transportation

Address & Phone Number

Name of Company Agent and Phone Number



DEPARTAMENTO DE TRANSPORTE
DEL ESTADO DE LA FLORIDA

**PROGRAMA DE
ASISTENCIA PARA LA
REUBICACIÓN
MUDANZA DE BIENES
MUEBLES**



Fecha de vigencia: Julio de 2008

PROGRAMA DE ASISTENCIA PARA LA REUBICACIÓN

REPRESENTA LA LEGISLACIÓN MÁS HUMANA Y JUSTA SOBRE ASISTENCIA PARA REUBICACIÓN QUE HAYA PROMULGADO NUESTRO GOBIERNO

Leyes, normas y procedimientos que rigen el programa de asistencia para la reubicación: 49 CFR., Sección 24 (Derecho Público 91-646) – Ley de 1970 sobre políticas de asistencia para la reubicación uniforme y adquisición de inmuebles, según enmienda; Estatutos de la Florida 339.09, 421.55; Norma 14-66 del Código Administrativo de la Florida; Manual sobre Derecho de Vía del Departamento de Transporte de la Florida



Declaración de la Política

“EL PROPÓSITO DE ESTE TÍTULO ES ESTABLECER UNA POLÍTICA UNIFORME PARA EL TRATO JUSTO Y EQUITATIVO DE LAS PERSONAS QUE RESULTARAN DESPLAZADAS DEBIDO A LA APLICACIÓN DE LOS PROGRAMAS FEDERALES Y DE ASISTENCIA FEDERAL, CON EL PROPÓSITO DE QUE TALES PERSONAS NO SUFRAN DAÑOS DESPROPORCIONADOS COMO CONSECUENCIA DE LOS PROGRAMAS DISEÑADOS PARA EL BENEFICIO DEL PÚBLICO EN GENERAL”

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Con el fin de continuar con el rápido crecimiento del Estado de Florida, es necesario un programa de construcción de transporte moderno para garantizar el acceso a carreteras seguras. En ocasiones se hace necesario trasladar los bienes muebles de una pequeña porción de la población de tierras que serán adquiridas por el Departamento debido a la construcción de autopistas muy necesarias.

*A toda persona que tenga bienes muebles que deban ser trasladados de los inmuebles adquiridos por el Departamento de Transporte de la Florida se le llamará persona desplazada o desplazado. El Departamento tiene por política que todos los desplazados reciban un trato justo y equitativo. **Excepto**, según el Derecho Público 105-117, promulgado el 21 de noviembre de 1997, cualquier persona extranjera con permanencia ilegal en los Estados Unidos no tiene derecho a los servicios de asesoramiento para la reubicación ni a los pagos compensatorios por reubicación, a menos que la carencia de tal elegibilidad resultase en penurias excepcionales y poco comunes para un cónyuge, padre o hijo que sí califique, tal como se define en el reglamento 49 CFR Sección 24.208(h).*

En las etapas iniciales de un proyecto, ciertas actividades en el área, tales como reuniones públicas del Departamento de Transporte o trabajos de topografía, pueden provocar especulación, rumores y ansiedad acerca de la ubicación de las nuevas vías de transporte y a quiénes afectarán. Estas actividades pueden durar años antes de que el Departamento comience a adquirir el derecho de vía. Puede tener la seguridad de que si usted califica como persona desplazada, un agente de reubicación en representación del Departamento se reunirá personalmente con usted para explicarle con detalle el programa de reubicación. El agente trabajará con usted y le orientará durante todo el proceso de reubicación.

Todos los desplazados recibirán una notificación por escrito con al menos noventa (90) días de anticipación a la fecha en que se requiere el desalojo. Para su mayor beneficio, le conviene comenzar a trabajar estrechamente con el agente de reubicación tan pronto como reciba la notificación de que usted tiene bienes muebles que serán desplazados. Le ayudarán para garantizar que no se vean afectados los posibles beneficios de asistencia para la reubicación.

Este folleto explica los servicios de orientación y los beneficios de pago que se ofrecen de acuerdo con el Programa de Asistencia para la Reubicación. Se le recomienda que lea este folleto detenidamente y tome nota de aquellos puntos que desee comentar con el agente de reubicación.

ALGUNAS DEFINICIONES IMPORTANTES....

Carta de garantía de 90 días: *Una garantía escrita enviada al desplazado en la que se le explica que no tendrá que desalojar sus bienes muebles durante al menos 90 días a partir de la fecha de recepción de esta notificación.*

Notificación de 30 días para desalojar: *Una notificación escrita enviada al desplazado en la que se indica la fecha en la que deberá desalojar sus bienes muebles del inmueble adquirido. Esta notificación no puede vencerse antes del vencimiento de la Carta de Garantía de 90 días.*

Adquirido: *El título temporal sobre el inmueble se transfiere al Departamento. La transferencia ocurre al momento de cerrar los acuerdos de negociación o en la fecha en que se depositan los fondos en el registro del tribunal en caso de expropiación forzosa.*

Departamento: *El Departamento de Transporte de la Florida.*

Acuerdo de pago directo: *Un acuerdo escrito entre el desplazado, el proveedor de servicio de mudanzas y el Departamento.*

Persona desplazada: *El término “persona desplazada” es sinónimo del término “desplazado”. El término se refiere a toda persona, como se define en este folleto, que se mude o traslade sus bienes muebles del inmueble objeto de la adquisición.*

- (A) Como resultado directo de la adquisición que haga el Departamento de dicho inmueble en la totalidad o una parte de un proyecto. Esto incluye toda persona que traslade sus bienes muebles del inmueble como resultado del inicio de las negociaciones o una notificación escrita de intención de adquirir. En el caso de una adquisición parcial, el Departamento determinará si la persona es desplazada como resultado directo de dicha adquisición; o
- (B) Como resultado de una orden escrita emitida por el Departamento para desalojar dicho inmueble para el proyecto; o
- (C) Como resultado de la adquisición del Departamento, u orden escrita para desalojar, o notificación escrita de intención de adquirir, otro inmueble para un proyecto en el cual la persona realiza actividades comerciales, operación de una granja o una organización sin fines de lucro. La elegibilidad según esta definición aplica sólo para propósitos de obtener servicios de asistencia para la reubicación y el reembolso de gastos de mudanza; o
- (D) Como resultado directo de rehabilitación o demolición para un proyecto.

Inicio de negociaciones: La fecha en que el Departamento entrega su oferta inicial por escrito de compensación justa por la compra del inmueble al propietario o representante de éste.

Notificación de elegibilidad: Una notificación escrita a una persona desplazada en la que se le informa de su elegibilidad para recibir asistencia para la reubicación que corresponda.

Persona: El término “persona” se refiere a cualquier individuo, familia, alianza, empresa o asociación.

Bienes muebles: Por lo general son objetos movibles, que no sujetos de forma permanente ni forman parte del inmueble, que pueden retirarse típicamente sin mayor daño ya sea al inmueble o a los objetos mismos.

Inventario posterior a la mudanza: Lista de los artículos realmente desalojados del inmueble adquirido. Dicha lista debe ser preparada después de terminar la mudanza y confirmada por el representante del Departamento y la persona desplazada.

Inventario previo a la mudanza: Lista de los artículos que se desalojarán del área del inmueble adquirido. Dicha lista debe ser preparada antes de la mudanza y confirmada por el representante del Departamento y la persona desplazada.

LEGISLACIÓN Y NORMAS VIGENTES



La siguiente información tiene por finalidad suministrar una visión de las opciones que una persona tiene para trasladar sus bienes muebles. Las leyes que rigen los beneficios de mudanza por ubicación están indicados en el reglamento 49 CFR, Sección 24.301 – 305, y la norma 14-66.007 de FAC. Si el lector no comprende el significado de ciertas referencias halladas en este documento, puede consultar la sección de definiciones para aclarar dudas o consultar con el agente de reubicación.

Opciones para la mudanza de bienes muebles

Cuando el Departamento adquiere inmuebles para construir vías de transporte, pueden ocurrir mudanzas de “bienes muebles solamente”. Los bienes muebles pueden estar ubicados:

- *En una propiedad residencial cuando los residentes mismos no tienen que mudarse.*
- *En un propiedad comercial (no residencial) cuando la empresa misma no tiene que ser reubicada o,*
- *En un terreno vacío o mejorado que no esté ocupado por una residencia ni una empresa.*

Para saber si usted es elegible...

Si usted posee bienes muebles que deben ser desalojados del inmueble adquirido por el Departamento, recibirá una Notificación de Elegibilidad. Usted no es elegible hasta que reciba dicha notificación.

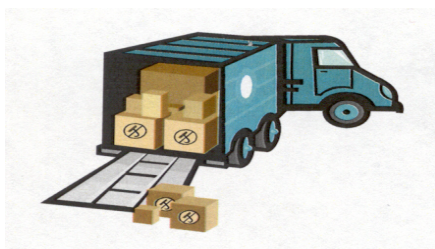
Una vez que sea notificado, usted puede escoger entre hacer una mudanza con una firma comercial o hacerla por su propia cuenta.

Sin importar el tipo de mudanza que escoja, es de suma importancia que usted coordine con su agente de reubicación para preservar su elegibilidad para recibir un reembolso.

Mudanza de bienes muebles

Para mudar bienes muebles de una propiedad residencial, empresarial o un inmueble desocupado, cuando los mismos ocupantes no tienen que mudarse, usted puede recibir un reembolso de los costos reales de mudanza. Usted puede escoger entre hacer la mudanza por cuenta propia, contratar una firma comercial de mudanzas o una combinación de ambos. Cada opción está explicada más abajo.

Mudanza comercial



Usted puede contratar una firma comercial para que se encargue de toda la mudanza. El Departamento le reembolsará los costos razonables en que usted incurra en realidad con las siguientes condiciones:

- Se debe hacer un inventario previo a la mudanza y uno posterior (consulte las definiciones).*
- Antes de la mudanza, el Departamento tiene que aprobar los costos estimados de la firma de mudanzas escogida. Si el estimado supera los \$10,000, el Departamento exigirá dos presupuestos de firmas comerciales con licencia. El reembolso que usted recibirá se limitará al monto del presupuesto más bajo en todos los casos en que se exijan dos presupuestos. El Departamento no preparará estimados propios para mudanzas que superen \$10,000.*

Si usted lo solicita, el agente del Departamento lo ayudará a obtener presupuestos válidos.

Usted puede pagar directamente y recibir un reembolso del Departamento, o usted y la firma de mudanzas pueden convenir que el Departamento le pague directamente a la firma, para lo cual deben firmar el “Acuerdo de Pago Directo”.

Mudanza por cuenta propia



Usted puede escoger mudar sus bienes muebles por su propia cuenta. Si escoge esta opción, el reembolso que reciba se basará en una de estas dos opciones: Un estimado de costos preparado por una firma comercial de mudanzas o personal del Departamento, o los gastos reales documentados.

Mudanza por cuenta propia basada en estimado comercial:

Las mismas condiciones de la mudanza comercial aplican para esta opción.

Mudanza por cuenta propia basada en gastos reales documentados:

El Departamento le reembolsará los costos razonables en que incurra en realidad con las siguientes condiciones:

- *Se debe hacer un inventario previo a la mudanza y uno posterior (consulte las definiciones).*
- *Al terminar la mudanza, usted tiene que presentar todos los recibos, facturas, gastos del alquiler de camión de mudanza, etc., para justificar los gastos ocasionados. La tarifa por hora y los cargos por alquiler de equipos no pueden exceder el costo pagado por una firma comercial de mudanzas. Si hay alguna inquietud sobre la justificación de los gastos ocasionados, el Departamento solicitará un presupuesto para comparar. El reembolso se limitará al monto más bajo entre los costos reales documentados y el presupuesto más bajo.*

Sin importar qué opción escoja, usted será el único responsable de la mudanza y los inventarios de los bienes muebles trasladados.

Sea que usted escoja el método de “mudanza por cuenta propia” o el de “mudanza comercial”, el Departamento puede exigir supervisar la mudanza. Esto permite garantizar que la mudanza se realice como se planificó y que los gastos de la misma que se reclamen sean apropiados y razonables. En cualquier mudanza con diferencias entre el inventario previo y el posterior, el Departamento reembolsará solo aquellos costos asociados con los artículos que en realidad se trasladaron.

Otros costos ocasionados durante la mudanza que puedan haber sido omitidos inicialmente, pueden ser reembolsados si lo aprueba el Departamento. Usted debe presentar constancia de todos los costos adicionales y se le recomienda que los discuta con su agente de reubicación antes de ocasionarlos, si es posible.

De acuerdo con regulaciones federales, el Departamento tiene que informarle, por escrito, de la responsabilidad que usted tiene de permitirle al Departamento inspeccionar los bienes muebles tanto en el inmueble desalojado como en el sitio de reubicación y usted tiene que suministrarle al Departamento una notificación por escrito con razonable antelación (7 días) de la fecha aproximada en que comenzará la mudanza. Su recepción de este folleto cumple con el requisito federal correspondiente.

SUSTANCIAS PELIGROSAS Y DESECHOS PELIGROSOS



Si usted tiene que trasladar materiales o desechos peligrosos, el Departamento le reembolsará por el traslado o eliminación de estas sustancias según estas condiciones:

- 1. Si usted decide eliminar el material peligroso, se le reembolsará por su eliminación o el costo real razonable de traslado, cualquiera sea más bajo.*
- 2. Si usted decide trasladar el material peligroso, se le reembolsará por el costo real, razonable y necesario de este traslado.*

Excepción: Si la eliminación del material peligroso forma parte de una operación normal, el Departamento no pagará por el costo de dicha eliminación, a menos que la eliminación se exija fuera del cronograma regular normal.

Todas las sustancias peligrosas que no sean desechos peligrosos tienen que ser eliminadas o trasladadas al sitio de reubicación y todos los desechos peligrosos tienen que ser eliminados de conformidad con las leyes, regulaciones y ordenanzas correspondientes. Bajo ninguna circunstancia se considerará al Departamento propietario o despachador de ningún material o sustancia peligrosa en su traslado a un sitio de reubicación o lugar de eliminación.

Su agente de reubicación puede responder las preguntas que usted tenga y suministrarle información necesaria e importante en cuanto al traslado o eliminación de estos materiales.

Recuerde: ¡¡NI las sustancias peligrosas NI los desechos peligrosos deben quedar abandonados!!

Los pagos por reubicación no afectan otros beneficios

Si usted es elegible actualmente para recibir asistencia por el seguro social, un fondo de bienestar social o algún otro tipo de asistencia, los pagos por reubicación que usted reciba no afectarán esos beneficios. Los pagos por reubicación no se consideran como ingresos para efectos del IRS y no los reporta el Departamento en el formulario 1099.

Propósito de su elegibilidad para reubicación

La asistencia para la reubicación está concebida para ayudar a las personas que son desplazadas y deben trasladar sus bienes muebles. Su elegibilidad para recibir un reembolso por gastos de mudanza se determina de acuerdo con requisitos estatales y federales específicos. Su derecho de reubicación es un beneficio no negociable y no permite un pago a un tercero que lo represente.

Período de presentación de reclamos

Todos los reclamos de pago por reubicación deberán ser presentados ante el Departamento en un lapso de 18 después:

- 1. Para arrendatarios, la fecha de la mudanza;*

2. *Para propietarios, la fecha de la mudanza o la fecha del pago final para la adquisición del inmueble, cualquiera sea posterior;*

3. *Este lapso de tiempo puede ser omitido por el Departamento por una buena causa.*

Su agente le suministrará los formularios necesarios y le brindará ayuda, si así lo requiere, para llenar los formularios.

Derechos de apelación



Si se le notifica que debe mudarse y usted no está de acuerdo con los criterios de elegibilidad o con el monto del pago que el Administrador de Reubicación del Distrito ha determinado para su caso, usted tiene derecho a presentar una apelación.

Deberá presentar la apelación por escrito en un lapso máximo de sesenta (60) días contados a partir de la fecha en que usted reciba la notificación por escrito de que su reclamo ha sido negado por el Administrador de Reubicación del Distrito. Solicite que el agente del Departamento le suministre el formulario de apelación #575-040-25 y ayuda para llenarlo. Deberá enviar su apelación a la siguiente dirección:

*Departamento de Transporte de la Florida
Administrador de Reubicación Estatal
605 Suwannee Street, M.S. 22,
Tallahassee, Florida 32399-0450*

El Administrador de Reubicación Estatal revisará su reclamo y si es rechazado, le informará sobre el derecho que usted tiene de apelar esa decisión ante el secretario de actuaciones de la entidad, de conformidad con la Sección 120.57 de los Estatutos de la Florida. Esto dará lugar a una audiencia formal o informal. Toda solicitud de acción legal formal o informal tiene que hacerse por escrito y enviarse a:

*Clerk of Agency Proceedings
Departamento de Transporte de la Florida
605 Suwannee Street, M.S. 58
Tallahassee, FL 32399-0450*

Department of Transportation District Office Address

Nombre y teléfono del Administrador de Reubicación del Distrito

Nombre y teléfono del Agente de Reubicación

En sus comunicaciones con el Departamento, por favor indique los siguientes números y códigos de referencia:

Renglón/Segmento N°: _____ Parcela N°: _____

Condado: _____ Distrito gobernante: _____

N° F.A.P.: _____

Carretera estatal N°: _____

Recuerde: Para algunos proyectos el Departamento puede contratar a una compañía calificada para que en representación del Departamento le ayude a usted con la reubicación. Si este es el caso para este proyecto, el nombre de la compañía aparecerá indicado abajo. Incluso si existe un contrato de este tipo para este proyecto, usted todavía podrá dirigirse al Departamento de Transporte a través de la dirección y el teléfono indicados anteriormente, en caso de que usted lo considere necesario.

Nombre de la compañía que representa al Departamento de Transporte

Dirección y número telefónico

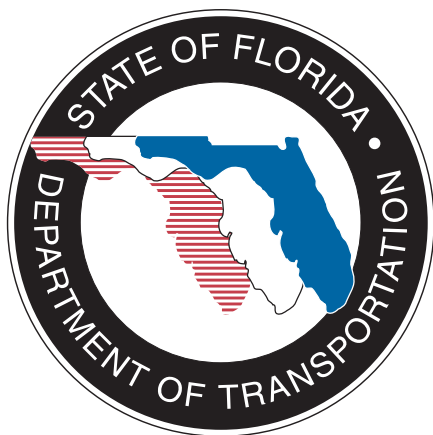
Nombre y número telefónico del agente de la compañía

SIGN RELOCATION

**UNDER THE FLORIDA
RELOCATION ASSISTANCE
PROGRAM**



SIGN RELOCATION UNDER THE FLORIDA RELOCATION ASSISTANCE PROGRAM



Published by the Florida Department of Transportation Office of Right of Way
<http://www.dot.state.fl.us/rightofway/>
Effective September, 2005

MISSION STATEMENT

The department will provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity and preserves the quality of our environment and communities.

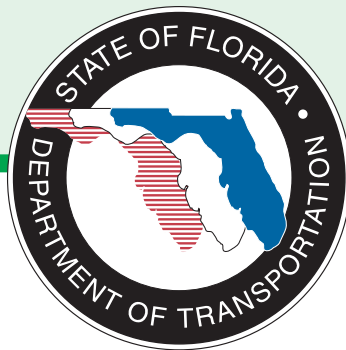


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DECLARATION OF POLICY

“THE PURPOSE OF THIS TITLE IS TO ESTABLISH A UNIFORM POLICY FOR FAIR AND EQUITABLE TREATMENT OF PERSONS DISPLACED AS A RESULT OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS IN ORDER THAT SUCH PERSONS SHALL NOT BE SUBJECTED TO DISPROPORTIONATE INJURIES AS A RESULT OF PROGRAMS DESIGNED FOR THE BENEFIT OF THE PUBLIC AS A WHOLE”

In order to keep up with Florida’s rapid growth, a modern highway construction program is necessary to ensure safe, available roadways. Because of this much needed construction, signs must sometimes be relocated. If you are required to move a sign, you may receive assistance in doing so. This brochure explains your reimbursement options. If you have questions after reading this brochure, please ask us. We want to answer your questions.

As provided by Federal law (Public Law 91-646, the Uniform Relocation Act of 1970 as amended), you may be eligible to receive reimbursement for:

- the actual, reasonable costs of moving the sign to a new location; search expenses; OR
- a direct loss payment.

SOME IMPORTANT DEFINITIONS

DEPARTMENT - The Florida Department of Transportation

ELIGIBILITY CONDITIONS - The owner of an on-premise sign who must move it from the real property that is acquired by the department may be eligible for reimbursement of actual, reasonable moving expenses.

Except, in accordance with Public Law 105-117, enacted on November 21, 1997, any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in 49 CFR Part 24.208(h).

ON-PREMISES SIGN - An on-premises sign is one that advertises a business and is located on or near the business premises.

ACTUAL REASONABLE MOVING COSTS

You may receive reimbursement for the actual, reasonable costs of moving your on-premise sign to a new location. This move can be performed by a commercial mover, or you may choose to perform the move yourself. This payment is based upon a move of no more than 50 miles. However, the department may approve a greater distance if it determines that the relocation in excess of the 50-mile limit is justified.

If you use a commercial mover. . .

You may receive payment for the actual, reasonable costs that a commercial mover charges to move your sign. These actual costs must be supported by copies of bills you receive from the mover or other acceptable documentation.

You will obtain at least two move cost proposals from qualified sign movers or moving specialists. These proposals show the estimated cost of moving your sign. The department will reimburse the actual costs of the move, but this amount cannot exceed that of the lowest move cost proposal.

For Example:

Two move cost proposals are obtained. One is for \$4,300 and the other is for \$3,800. The maximum reimbursement you could receive is \$3,800. If you decide to use a mover who charges \$4,000 which is supported by receipted bills, your maximum reimbursement amount will still be \$3,800.

However, if you use a mover who charges \$3,000 for the move, your actual reimbursement amount will be \$3,000.


As an alternative to obtaining two move cost proposals, under certain conditions a qualified department employee can provide the only estimate needed.

If you choose the self-move option. . .

You may receive payment based upon a commercial move estimate even though you will actually perform the move yourself. For this type of move, you will obtain two move cost proposals. Then YOU will move your sign. The payment you will receive will be the lower of the two proposals. You will not have to provide any documentation of your actual move costs if you choose this method.

For Example:

Two move cost proposals are obtained. One is in the amount of \$4,300 and the other is for \$3,800. Based on the self-move option for this example, the maximum reimbursement amount you could receive would be \$3,800.



As an alternative to obtaining two move cost proposals, under certain conditions a qualified department employee can provide the only estimate needed.

Or . . .

You may receive payment for the actual, reasonable costs of performing the move yourself. You must provide documentation of the actual costs of moving the sign. The payment you receive will be based upon this documentation.

For Example:

You move your sign and provide documentation supporting an actual, reasonable and necessary cost of \$2,200 to do so. The payment you will receive is \$2,200.

Additionally, you can combine the commercial and self-move methods to fit your needs. As an example, you may have a commercial equipment specialist handle the disconnecting and reconnecting of any special electrical wiring (for rotating or specially lighted signs). But you may want to move the structure of the sign yourself. The appropriate requirements and provisions for each type of move will apply.

Please Remember . . .

You should **ALWAYS** contact your relocation agent **PRIOR** to moving your sign or having your sign moved.

DIRECT LOSS PAYMENT

You can be eligible for this type of payment if you are entitled to relocate your sign but choose not to. Your payment amount will be the lesser of:

- the sign's depreciated reproduction cost less any proceeds from its sale; or
- the estimated cost of moving the sign, not including any storage.

If the sign cannot be moved because of local, state, or federal regulations, the payment will be for the sign's depreciated reproduction cost minus proceeds from its sale. Any costs you incur in attempting to sell the sign, such as advertising, are reimbursable.

A RELOCATION AGENT WILL CONTACT YOU. . .

A Relocation Agent from the department will contact you personally. The Agent will provide relocation assistance and will explain your payment benefits. The Agent will assist you in relocating your sign with a minimum of difficulty. **PLEASE DO NOT HESITATE TO USE THIS SERVICE!**

IN ADDITION TO PERSONAL CONTACTS. . .

The address of the relocation office nearest you and the name of your Relocation Agent may be found in the back of this brochure.

The complete Federal and State regulations under which the department's Relocation Assistance program is administered are on file and available for your review during regular business hours at the office listed on the back of this brochure or:

Florida Department of Transportation
Office of Right of Way
605 Suwannee Street, MS 22
Tallahassee, FL 32399

APPEAL RIGHTS

If you do not agree with the type or amount of payment the department determines you are eligible for, federal law provides an appeal process for review of your case. The department will provide the necessary forms for you to begin the appeal process. You will be given a full opportunity to be heard. The department will promptly review your appeal and notify you of its decision. A final appeal may be sent to:

Clerk of Agency Proceedings
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399

NOTES

The nearest Relocation Assistance Office is located at:

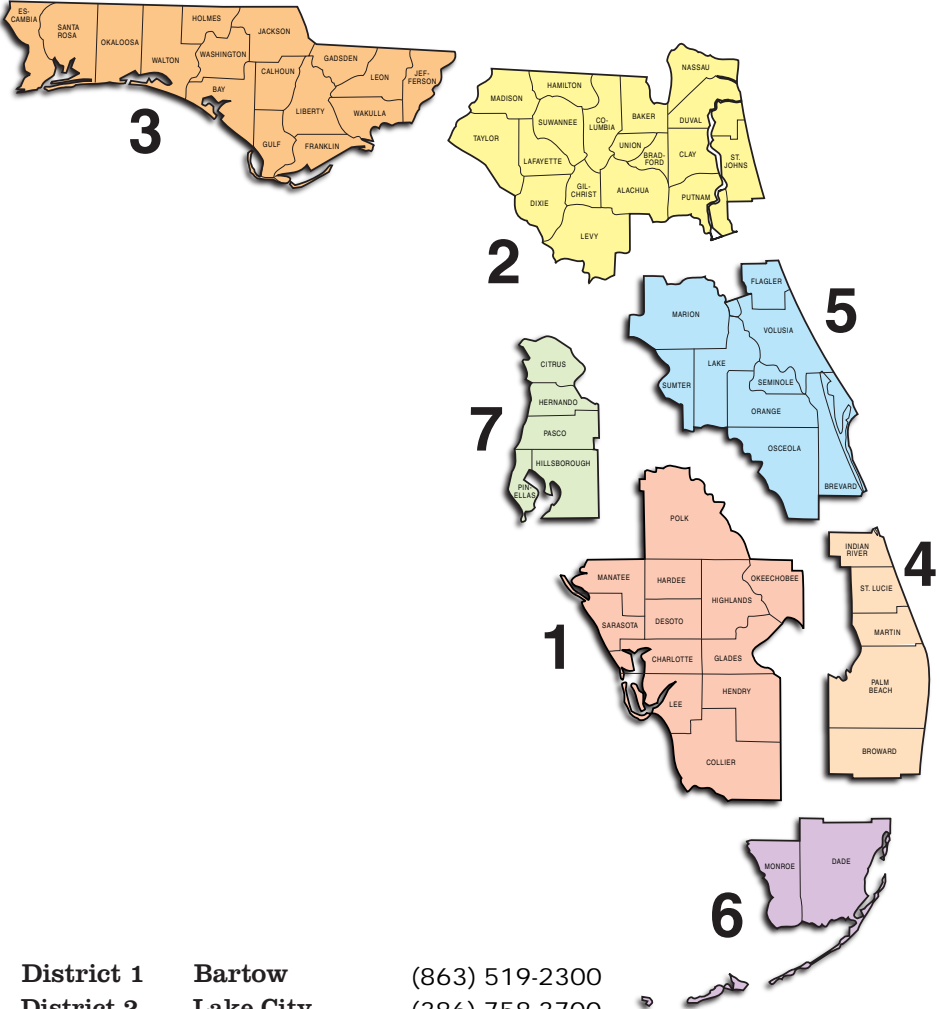
My Relocation Agent is:

Relocation Assistance Office Hours:

Telephone Number:

Date the department made the first written offer to buy the property my sign occupies:

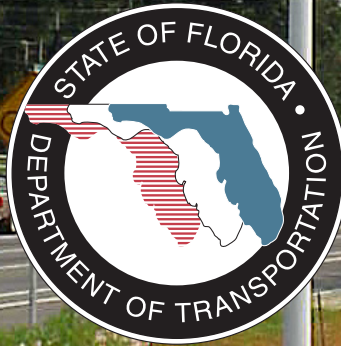
Right of Way District Headquarters



District 1	Bartow	(863) 519-2300
District 2	Lake City	(386) 758-3700
District 3	Chipley	(850) 638-0250
District 4	Ft. Lauderdale	(954) 486-1400
District 5	DeLand	(386) 943-5000
District 6	Miami	(305) 470-5197
District 7	Tampa	(813) 975-6000
Turnpike	Orlando	(407) 532-3999

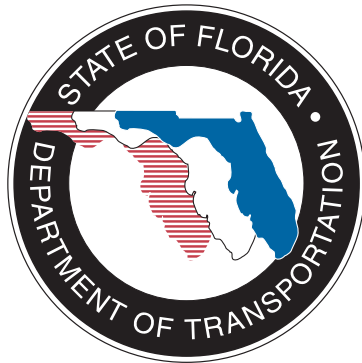
DEPARTAMENTO DE TRANSPORTE DE LA FLORIDA

REUBICACIÓN DE LETREROS DE ACUERDO CON EL PROGRAMA DE ASISTENCIA PARA LA REUBICACIÓN EN EL ESTADO DE LA FLORIDA



REUBICACIÓN DE LETREROS

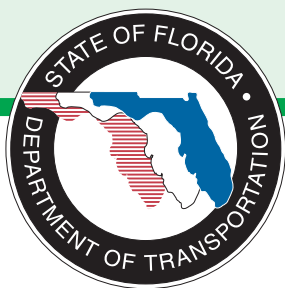
DE ACUERDO CON EL PROGRAMA
DE ASISTENCIA
PARA LA REUBICACIÓN
EN EL ESTADO DE LA FLORIDA



Publicado por la Oficina de Derecho de Vía
del Departamento de Transporte de la Florida.
<http://www.dot.state.fl.us/rightofway/>

ENUNCIADO DE NUESTRA MISIÓN

**El departamento proporcionará
un sistema
de transporte seguro que
garantice
la movilidad de las personas y
los bienes,
mejore la prosperidad
económica
y preserve la calidad
de nuestro medio ambiente
y nuestras comunidades.**



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DECLARACIÓN DE LA POLÍTICA

“EL PROPÓSITO DE ESTE TÍTULO ES ESTABLECER UNA POLÍTICA UNIFORME PARA EL TRATO JUSTO Y EQUITATIVO DE LAS PERSONAS QUE RESULTARAN DESPLAZADAS DEBIDO A LA APLICACIÓN DE LOS PROGRAMAS FEDERALES Y DE ASISTENCIA FEDERAL, CON EL PROPÓSITO DE QUE TALES PERSONAS NO SUFRAN DAÑOS DESPROPORCIONADOS COMO CONSECUENCIA DE LOS PROGRAMAS DISEÑADOS PARA EL BENEFICIO DEL PÚBLICO EN GENERAL”

Con el fin de continuar con el rápido crecimiento del Estado de la Florida, es necesario un programa de construcción de vías modernas para garantizar el acceso a carreteras seguras. Debido a esta gran necesidad de construcción, algunas veces los letreros deben ser reubicados. Si se requiere que usted traslade su letrero, usted puede recibir asistencia para hacerlo. Este folleto explica las opciones de reembolso que usted tiene. Si después de leer este folleto usted tiene alguna pregunta, no dude en comunicárnoslo. Con mucho gusto le atenderemos.

Como lo dispone la ley Federal (Derecho Público 91-646, el acto de reubicación uniforme de 1970 según enmienda), usted puede tener derecho a recibir un reembolso por:


- los costos reales y razonables por el traslado del letrero a una nueva ubicación, gastos de búsqueda; O
- un pago compensatorio por pérdida directa.

ALGUNAS DEFINICIONES IMPORTANTES

DEPARTAMENTO: El Departamento de Transporte del Estado de la Florida

CONDICIONES DE ELEGIBILIDAD: El propietario que deba trasladar un letrero de su propiedad ubicado en un inmueble adquirido por el departamento, puede tener derecho al reembolso de los gastos reales y razonables del traslado.

Excepto, según el Derecho Público 105-117, promulgado el 21 de noviembre de 1997, cualquier persona extranjera con permanencia ilegal en los Estados Unidos que no tenga derecho a los servicios de asesoramiento para la reubicación ni a los pagos compensatorios por reubicación, a menos que la carencia de tal elegibilidad resultase en penurias excepcionales y poco



comunes para un cónyuge, padre o hijo que sí califique, tal como se define en el reglamento 49 CFR Part 24.208(h).

LETRERO EN EL INMUEBLE: Es aquel que le hace publicidad a un negocio y que se encuentra en el mismo inmueble del negocio o cerca del mismo.

COSTOS REALES Y RAZONABLES DEL TRASLADO

Usted puede recibir un reembolso por los costos reales y razonables del traslado a una nueva ubicación de un letrero ubicado en el inmueble. Este traslado puede realizarse a través de una compañía de mudanzas o, si usted lo prefiere, puede hacerlo por su cuenta. Este pago compensatorio corresponde a traslados de una distancia máxima de 50 millas. No obstante, el departamento puede aprobar una distancia mayor si determina que se justifica la reubicación por encima del límite de 50 millas.

Si usted contrata los servicios de una compañía de mudanzas...

Usted puede recibir el pago compensatorio por los costos reales y razonables que la compañía cobre por el traslado de su letrero. Estos costos reales deben estar respaldados con copias de las facturas que usted reciba de la compañía de traslados u otros documentos aceptables.

Usted deberá solicitar por lo menos dos presupuestos de compañías calificadas o especialistas en mudanzas. Estos presupuestos deben mostrar el costo estimado del traslado de su letrero. El departamento reembolsará los costos reales del traslado, pero este monto no podrá sobrepasar el costo del presupuesto más bajo.

Por ejemplo:

Se obtienen dos presupuestos de costos del traslado. Uno es por \$4,300 y el otro es por \$3,800. El monto máximo de reembolso que usted podrá recibir es de \$3,800. Si decide contratar los servicios de una compañía de mudanzas que cobre \$4,000, lo cual deberá estar respaldado con facturas, el monto máximo de reembolso que usted recibirá seguirá siendo de \$3,800.

Sin embargo, si usted contrata una compañía de mudanzas que cobre \$3,000 por el traslado, el monto real de reembolso será de \$3,000.

Como una alternativa para obtener dos presupuestos para el traslado, en ciertas circunstancias un empleado calificado del departamento puede suministrarle el estimado que le haga falta.

Si elige la opción de traslado por su cuenta...

Usted puede recibir un pago compensatorio basado en el presupuesto de una compañía de mudanzas a pesar de que usted mismo realice el traslado. Para este tipo de traslado, usted deberá obtener dos presupuestos de costos. Luego USTED realizará el traslado de su letrero. El pago compensatorio que usted recibirá corresponderá al más bajo de los dos presupuestos. Usted no tendrá que suministrar ningún documento que justifique los costos reales del traslado si elige este método.

Por ejemplo:

Se obtienen dos presupuestos de costos del traslado. Uno es por la cantidad de \$4,300 y el otro es por \$3,800. Según la opción de traslado por cuenta propia de este ejemplo, el monto máximo de reembolso que usted puede recibir sería de \$3,800.

Como una alternativa para obtener dos presupuestos para el traslado, en ciertas circunstancias un empleado calificado del departamento puede suministrarle el estimado que le haga falta.

O . . .

Usted puede recibir un pago compensatorio por los costos reales y razonables del traslado por cuenta propia. Usted deberá suministrar los documentos que justifiquen los costos reales del traslado del letrero. El pago compensatorio que usted recibirá estará basado en estos documentos.

Por ejemplo:

Usted traslada su letrero y suministra los documentos que respalden un costo real y razonable de \$2,200 para hacerlo. El pago compensatorio que usted recibirá será de \$2,200.

Además, para ajustarse a sus necesidades, usted puede combinar ambos métodos (los servicios de una compañía y traslado por cuenta propia). Como un ejemplo, usted puede contratar a un especialista en equipos comerciales para que se ocupe de la desconexión y reconexión de cualquier instalación eléctrica especial (en caso de letreros giratorios o con iluminación especial). Pero usted podría decidir trasladar la estructura del letrero usted mismo. Deberá cumplir con los requisitos y disposiciones correspondientes para cada tipo de traslado.

Recuerde que. . .

SIEMPRE debe contactar al agente de reubicación más cercano ANTES de trasladar su letrero.

PAGO COMPENSATORIO POR PÉRDIDA DIRECTA

Usted puede ser elegible para este tipo de pago si tiene derecho a reubicar su letrero pero decide no hacerlo. El monto del pago que usted recibirá será el menor de:

- el costo depreciado de reproducción del letrero, menos cualquier producto de la venta del mismo; o
- el costo estimado del traslado del letrero sin incluir almacenamiento.

Si el letrero no puede ser trasladado debido a reglamentos locales, estatales o federales, el pago compensatorio será por el costo depreciado de reproducción del letrero, menos el producto de la venta del mismo. Todo costo en que usted incurra al intentar vender el letrero (por ejemplo, publicidad), es reembolsable.

UN AGENTE DE REUBICACIÓN LE CONTACTARÁ. . .

Un agente de reubicación autorizado por el departamento le contactará personalmente. El agente le brindará asistencia para la reubicación y le explicará cuáles son los beneficios de pago. El Agente le asistirá en la reubicación de su letrero con un mínimo de dificultad. ¡POR FAVOR NO DUDE EN UTILIZAR ESTE SERVICIO!

ADEMÁS DE CONTACTOS PERSONALES. . .

En la parte posterior de este folleto encontrará la dirección de la oficina de reubicación más cercana y el nombre de su agente de reubicación.

Todos los reglamentos federales y estatales según los cuales se administra el programa de asistencia del departamento para la reubicación se encuentran archivados y a la disposición para su revisión durante el horario usual de trabajo en la oficina señalada en la parte posterior de este folleto, o:

Departamento de Transporte de La Florida
Oficina de Derecho de Vía
Room 251, Haydon Burns Building
605 Suwannee Street
Tallahassee, FL 32399

DERECHOS DE APELACIÓN

Si usted no está de acuerdo con el tipo o el monto del pago que el departamento determine, las leyes federales ofrecen un proceso de apelación para revisar su caso. El departamento le proporcionará los formularios necesarios para empezar el proceso de apelación. Usted tendrá oportunidad para presentar su caso. El departamento revisará con prontitud su apelación y le notificará la decisión tomada. La apelación final puede ser enviada a:

Clerk of Agency Proceedings
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399

NOTAS:

La Oficina de Asistencia para la Reubicación más cercana se encuentra en:

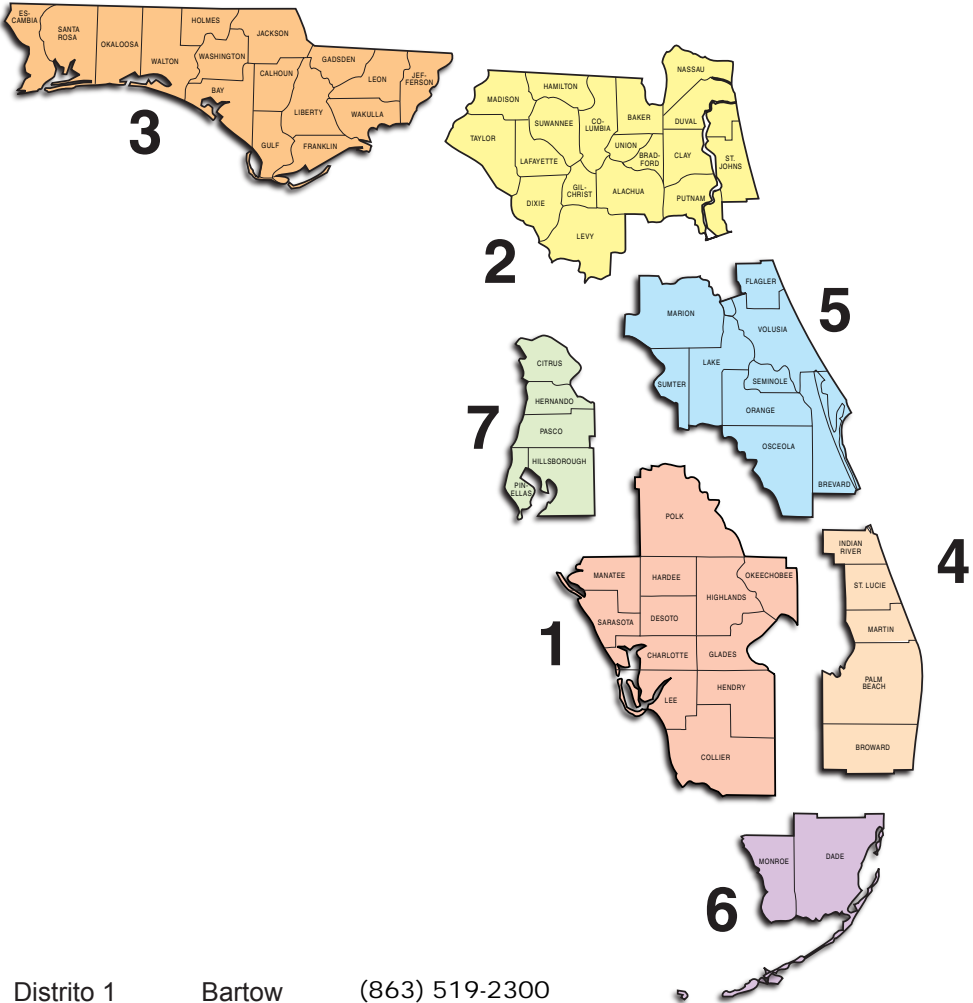
Mi Agente de Reubicación es:

Horario de la Oficina de Asistencia para la Reubicación:

Número de teléfono:

Fecha en la que el departamento hizo la primera oferta por escrito para adquirir el inmueble donde se encuentra mi letrero:

Sedes de Distrito de Derecho de Vía



Distrito 1	Bartow	(863) 519-2300
Distrito 2	Lake City	(386) 758-3700
Distrito 3	Chipley	(850) 638-0250
Distrito 4	Ft. Lauderdale	(954) 486-1400
Distrito 5	DeLand	(386) 943-5000
Distrito 6	Miami	(305) 470-5197
Distrito 7	Tampa	(813) 975-6000
Turnpike	Orlando	(407) 532-3999